

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST for the Land Disposal Restrictions as of June 30, 1993

Note: 1) This checklist consolidates the changes to Federal code addressed by the following Land Disposal Restrictions (LDR) checklists:

- Revision Checklist 34 [51 FR 40572 (November 7, 1986), 52 FR 21010 (June 4, 1987)];
- Revision Checklist 39 [52 FR 25760 (July 8, 1987), 52 FR 41295 (October 27, 1987)];
- Revision Checklist 50 [53 FR 31138 (August 17, 1988), 54 FR 8264 (February 27, 1989)];
- Revision Checklist 62 [54 FR 18836 (May 2, 1989)];
- Revision Checklist 63 [54 FR 26594 (June 23, 1989)];
- Revision Checklist 66 [54 FR 36967 (September 6, 1989), 55 FR 23935 (June 13, 1990)];
- Revision Checklist 78 [55 FR 22520 (June 1, 1990)];
- Revision Checklist 83 [56 FR 3864 (January 31, 1991)];
- Revision Checklist 95 [56 FR 41164 (August 19, 1991)];
- Revision Checklist 102 [57 FR 8086 (March 6, 1992)];
- Revision Checklist 103 [57 FR 20766 (May 15, 1992)];
- Revision Checklist 106 [57 FR 28628 (June 26, 1992)];
- Revision Checklist 109 [57 FR 37194 (August 18, 1992)];
- Revision Checklist 116 [57 FR 47772 (October 20, 1992)];
- Revision Checklist 123 [58 FR 28506 (May 14, 1993)]; and
- Revision Checklist 124 [58 FR 29860 (May 24, 1993)].

The LDR "Checklist Reference" column indicates which of these checklists have affected each listed citation. Subsequent to promulgation of the first LDR rule (i.e., the rule addressed by Revision Checklist 34), checklists other than the LDR checklists have also affected certain sections of code addressed by the LDR checklists. The effects of these subsequent checklists are indicated in footnotes. Of special note are 270.42(o)&(p) and 270.72(e). In both cases, subsequent checklists either removed or redesignated these sections of code. The section numbering found in the associated LDR final rule for these paragraphs is used, rather than the new numbering found in the subsequent checklists.

An exception to the footnoting procedure occurs to specify the effect which the Toxicity Characteristics Rule had on the TCLP procedure. Because the new TCLP procedure is integral to the Third Third Rule requirements (see Note 6 below), this change made by Revision Checklist 74, a non-LDR checklist, is noted in the LDR checklist reference column. An explanatory footnote is also included.

2) The following Part 268 sections are not delegable to States because of the national concerns which must be examined when decisions are made relative to them: 268.5 (case-by-case effective date extensions); 268.42(b) (application for alternate treatment method); and 268.44 (variance from a treatment standard). "No migration" petitions under 268.6 will be handled by EPA, even though States may be authorized to grant such petitions in the future. States have the authority to grant such petitions under RCRA Section 3006 because such decisions do not require a national perspective, as is the case for decisions under 268.5, 268.42(b) or 268.44. However, EPA has had few opportunities to implement the land disposal restrictions and expects to gain valuable experience and information from reviewing "no-migration" petitions.

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3) In the past, the nondelegable sections/paragraphs of the LDR regulations have been omitted from the LDR checklists because States could not assume the authority for them. However, this procedure has led to confusion among the States on how to handle the sections/paragraphs in their code. For this reason, the Agency has decided to include these nondelegable sections on the LDR checklists. To differentiate these sections from the delegable portions of the LDR restrictions, asterisks precede (a single row) and follow (a double row) each nondelegable section. If States have already filled out a version of this Consolidated Land Disposal Restriction Checklist which does not include the nondelegable sections, they need not fill out a revised version containing these sections. This change in format was made only to improve clarity.

The Agency suggests that States incorporate the nondelegable portions of the LDR regulations into their regulations because this incorporation aids the regulated community in knowing that the extensions, exemptions and variances addressed by the nondelegable sections of code are available to them. It is essential, however, that States leave the terms "Administrator", "Federal Register" and "Agency" unchanged, i.e., States may not substitute analogous State terms for these Federal terms. Similarly, States incorporating by reference must be careful to exclude these sections from blanket substitutions of State terms for Federal terms. For a more complete discussion of issues surrounding nondelegable sections, see Appendix J of the State Authorization Manual (SAM).

4) Note that while 268.40 is delegable to States, "Administrator" in the following phrase "approved by the Administrator under the procedures set forth in 268.42(b)" should not be replaced in 268.40(b) with an analogous State term because it is referring to decisions under 268.42(b). Such decisions will be made by the EPA Administrator.

5) States do not need to adopt requirements equivalent to 40 CFR 268.10, 268.11, 268.12 and 268.13 because these sections of code contain the schedule by which EPA must evaluate wastes for land disposal restrictions. As such, these sections of code are not included in this consolidated checklist. States do need to adopt, however, requirements equivalent to 268.14. Such requirements address the length of time interim status impoundments can be used to receive or generate newly identified or listed hazardous wastes and resolve the potential conflicts between RCRA §§3004(h)(4), 3005(j)(6) and 3004(j)(11) [see the discussion in the Federal Register for Revision Checklist 109, pp. 37218-37221].

6) Note that the Toxicity Characteristic Leaching Procedure (TCLP) referred to by the Third Third Scheduled Waste Rule is the TCLP entered into the Federal code at 40 CFR 261 Appendix II by the Toxicity Characteristic Rule (55 FR 11798, March 29, 1990) and amended at 55 FR 26986 (June 29, 1990). (Both the Toxicity Characteristic Rule and the June amendment are addressed by Revision Checklist 74.) The TCLP procedure previously located at 40 CFR Part 268, Appendix I and introduced by the Solvents and Dioxins Land Disposal Restrictions Rule (51 FR 40572; November 7, 1986; Revision Checklist 34) is the outdated version of the TCLP. Thus, States adopting the Third Third Scheduled Waste Rule must also adopt the new version of the TCLP. If a State has already adopted the Revision Checklist 34 TCLP, this version must be replaced with the Revision Checklist 74 TCLP. See Footnote 60 of this checklist.

7) Guidance regarding the use of the new TCLP versus the EP Toxicity Test may be found at 55 FR 22660 (June 1, 1990).

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8) Adopting the alternate treatment standards for lab packs is optional. However, if a State chooses to adopt these alternate standards, all of the requirements related to these standards must be adopted, including all of the provisions added by the Third Third Scheduled Waste Rule (i.e., Revision Checklist 78) at 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

insert "and 268"	34	260.1(a)	260.1(a)	X			
insert "and 268"	34	260.1(b)(1)	260.1(b)(1)	X			
insert "and 268"	34	260.1(b)(2)	260.1(b)(2)	X			
insert "and 268"	34	260.1(b)(3)	260.1(b)(3)	X			
insert "and 268"	34	260.1(b)(4)	No direct State analog	X			

Comment for 260.1(b)(4): Delaware does not have a direct analog to 40 CFR 260.1(b)(4). This citation is administrative and is not substantial in nature. Omission of this citation in DRGHW does not effect the stringency of the State's program.

AVAILABILITY OF INFORMATION; CONFIDENTIALITY OF INFORMATION

insert "and 268"	34	260.2(a)	260.2(a)	X			
insert "and 268"	34	260.2(b)	260.2(b)	X			

USE OF NUMBER AND GENDER

insert "and 268"	34	260.3	260.3	X			
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SUBPART B - DEFINITIONS

DEFINITIONS

insert "and 268" to introductory text	34	260.10	260.10	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add "containment building"	109	260.10	260.10	X			
revise "miscellaneous unit"	109	260.10	260.10	X			
revise "pile"	109	260.10	260.10	X			

REFERENCES

1,2 Parts 260 through 270	39	260.11(a)	260.11(a)	X			
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SUBPART C - RULEMAKING PETITIONS

GENERAL

insert "and 268"	†34	260.20(a)	No direct State analog			X	
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

insert "268,"	34	261.1(a)	261.1(a)	X			
insert ", 268"	34	261.1(a)(1)	261.1(a)(1)	X			

DEFINITION OF HAZARDOUS WASTE

insert "of this part" after the first "subpart C"; insert "," before "or unless"; add a sentence addressing the relationship of nonwastewater mixtures and the Part 268 requirements	109	261.3(a)(2)(iii)	261.3(a)(2)(iii)	X			
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**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†,3 split paragraph into two subparagraphs, (C)(1)&(2), with the second subparagraph addressing the notification for HTMR residues; in first subparagraph, insert ", K062 or F006" after "K061"; replace "(as defined in 40 CFR 260.10(6), (7), and (12))" with "(as defined in paragraphs (6), (7), and (13) of the definition for 'Industrial Furnace' in 40 CFR 260.10)"; replace "identified below" with "identified in the tables in this paragraph"; replace "The generic exclusion levels are:" with a sentence addressing burden of proof for persons claiming this exclusion in an enforcement action; replace single table with the two tables indicated at 57 FR 37264	95,109	261.3(c)(2)(ii)(C)(1)	261.3(c)(2)(ii)(C)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†,3 completely revise requirements addressing notification and certification; one-time notification and certification for K061, K062 or F006 HTMR residues, which meet generic exclusion levels and exhibit no characteristics, that are sent to Subtitle D units; update of notification and certification; annual EPA/State notification; deadline for submission to EPA/State; what the notification must include; certification signed by authorized representative and what it must state	95,109	261.3(c)(2)(ii)(C)(2)	261.3(c)(2)(ii)(C)(2)	X			
add parenthetical phrase regarding characteristic waste, no longer exhibiting a characteristic, that still may be subject to 268 requirements	83	261.3(d)(1)	261.3(d)(1)	X			
add new paragraph and subparagraphs addressing debris that is excluded from regulation provided it meets specified criteria:	109	261.3(f)	261.3(f)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Part 268-defined hazardous debris treated using a specified 268.45, Table 1, extraction or destruction technology; burden of proof on claimant in an enforcement action	109	261.3(f)(1)	261.3(f)(1)	X			
Part 268-defined debris determined by Regional Administrator to no longer be contaminated with hazardous waste	109	261.3(f)(2)	261.3(f)(2)	X			

EXCLUSIONS

† add new paragraph which excludes as solid waste nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums and not land disposed before recovery	95	261.4(a)(11)	261.4(a)(11)	X			
insert "268,"	34	261.4(c)	261.4(c)	X			
remove "267" and insert "268"	34	261.4(d)(1)	261.4(d)(1)			X	

Comment for 261.4(d)(1): Delaware references "Parts 262 through 265" whereas the Federal code references "Parts 262 through 266". By referencing Part 265 rather than 266, the State is more stringent because it does not exempt a sample of solid waste or sample of water, soil or air collected for testing to determine its characteristics or composition from the requirements of Part 266, analog to 40 CFR part 266 (Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities).

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY
EXEMPT SMALL QUANTITY GENERATORS**

insert ", 268,"	34	261.5(b)	261.5(b)	X			
insert ", 268,"	34	261.5(c)	261.5(c)	X			
insert ", 268,"	34	261.5(e)	261.5(e)	X			
4 insert ", 268,"	34	261.5(f)(2)	261.5(f)(2)	X			
insert ", 268,"	34	261.5(g)(2)	261.5(g)(2)	X			

REQUIREMENTS FOR RECYCLABLE MATERIALS

insert "268,"	34	261.6(a)(3)	261.6(a)(3)			X	X
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Comment for 261.6(a)(3): Delaware does not exempt the specified recyclable materials from the transportation of requirements of its Part 263. Delaware's Part 263 is broader in scope than 40 CFR part 263 in that Delaware transporters must obtain permits. Because it subjects recyclable materials to applicable parts of Part 263 when the Federal code does not, Delaware's code is both more stringent and broader in scope.

insert "268,"	34	261.6(c)(1)	261.6(c)(1)	X			
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RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS

insert "268,"	34	261.7(a)(1)(ii)	261.7(a)(1)(ii)	X			
insert "268,"	34	261.7(a)(2)(ii)	261.7(a)(2)(ii)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

insert "268,"; remove ", but is not listed as a hazardous waste in Subpart D"; change "the EPA" to "every EPA"; insert "that is applicable as" before "set forth"; remove "in the respective characteristic" before "in this Subpart"; insert "used" after "This number must be"; before "recordkeeping" change "certain" to "all applicable"	34,78,83	261.20(b)	261.20(b)	X			
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CHARACTERISTIC OF IGNITABILITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.21(b)	261.21(b)	X			
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CHARACTERISTIC OF CORROSIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.22(b)	261.22(b)	X			
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CHARACTERISTIC OF REACTIVITY

remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.23(b)	261.23(b)	X			
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TOXICITY CHARACTERISTIC

5 remove ", but is not listed as a hazardous waste in Subpart D,"	78	261.24(b)	261.24(b)	X			
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**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

insert "268,"	34	261.30(c)	261.30(c)	X			
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HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste "F039" in alpha-numeric order to list	78,83	261.31(a)	261.31(a)	x			
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**DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES,
CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF**

6 insert "or (f)" after "(e)"; change "261.7(b) (3)" to "261.7(b)"	78	261.33(c)	261.33(c)	X			
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APPENDIX VII, PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add "F039" to list in alphanumeric order	78	Appendix VII	Appendix VII	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

HAZARDOUS WASTE DETERMINATION

in the first sentence, replace "If" with "For purposes of compliance with 40 CFR Part 268, or if"; remove "as a hazardous waste" after "listed"; replace "he must determine" with "the generator must then determine"	78,83	262.11(c)	262.11(c)	X			
add new paragraph regarding possible exclusions or restrictions in Parts 264, 265 or 268	34	262.11(d)	262.11(d)	X			

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

replace ";" at the end of text with a ":"	109	262.34(a)(1)(iii)	262.34(a)(1)(iii)	X			
replace ":" with "; and/or"	109	262.34(a)(1)(iii)(B)	262.34(a)(1)(iii)(B)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraphs addressing waste placed in containment buildings; compliance with 265, Subpart DD; professional engineer certification of compliance with 265.1101 design standards placed in operating record no later than 60 days after the date of initial unit operation; requirements after February 18, 1993; records which must be maintained	109	262.34(a)(1)(iv)	262.34(a)(1)(iv)	X			
written description of procedures to ensure each waste volume remains in unit for no more than 90 days; written description of waste generation and management practices for the facility showing that they are consistent with respecting the 90-day limit; documentation that procedures are complied with	109	262.34(a)(1)(iv)(A)	262.34(a)(1)(iv)(A)	X			
documentation that unit is emptied at least once every 90 days	109	262.34(a)(1)(iv)(B)	262.34(a)(1)(iv)(B)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
7 remove first paragraph numbered (a)(2) (including (a)(2) (i)&(ii)); remove unnumbered paragraph following (a)(2)(ii)	109	262.34(a)(2)	262.34(a)(2)	X			

ACCUMULATION TIME

replace "and with §265.16" with ", with §265.16, and with 40 CFR 268.7(a)(4)"	78	262.34(a)(4)	262.34(a)(4)	X			
replace "and" between "section" and "the requirements" with ";", and add "the requirements of 40 CFR 268.7(a)(4)"	83	262.34(d)(4)	262.34(d)(4)	X			

SUBPART G - FARMERS

FARMERS

8 pesticide disposal by farmers	†39	262.70	262.70	X			
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

TRANSFER FACILITY REQUIREMENTS

insert ", 268"	34	263.12	263.12			X	
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Comment for 263.12: Delaware is more stringent because it subjects transfer facilities to more requirements than does the Federal code. For example at DRGHW 263.12(c), transfer facilities must not be operated until they have received approval from the Secretary and demonstrate to the Secretary that they comply with the Part 264 requirements specified in DRGHW 263.12(c). Also, at DRGHW 263.12(b), transfer facilities that handle commingled wastes in specified containers are subject to requirements applicable to treatment or storage facilities; those requirements are even more restrictive than those that apply to transfer facilities that do not handle commingled wastes.

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD- EN SC

**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change "." to ","; add phrase regarding compliance with 264.17(b) if owner or operator is diluting hazardous ignitable wastes or corrosive wastes to remove the characteristic before land disposal	124	264.1(g)(6)	264.1(g)(6)	X			
9 add new paragraph regarding facilities to which Part 264 applies	34	264.1(h)	264.1(h)	X			

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

9,10 insert "Part 268"; add sentence regarding what information, at a minimum, the waste analysis must contain	34,102	264.13(a)(1)	264.13(a)(1)	X			
revise comment following paragraph (a) (2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	264.13(a)(2)	264.13(a)(2)	X			
insert "268.7"	34	264.13(b)(6)	264.13(b)(6)	X			

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph and subparagraphs regarding exempted surface impoundment plan specifications	34	264.13(b)(7)	264.13(b)(7)	X			
sampling impoundment contents	34	264.13(b)(7)(i)	264.13(b)(7)(i)	X			
analysis procedures	34	264.13(b)(7)(ii)	264.13(b)(7) (ii)	X			
annual removal of specific residues; criteria:	34,39,50	264.13(b)(7)(iii)	264.13(b)(7) (iii)	X			
do not meet treatment standards of Part 268, Subpart D	50	264.13(b)(7)(iii)(A)	264.13(b)(7) (iii)(A)	X			
where no treatment standards have been established	50	264.13(b)(7)(iii)(B)	264.13(b)(7) (iii)(B)	X			
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	264.13(b)(7)(iii)(B) (1)	264.13(b)(7) (iii)(B)(1)	X			
prohibited disposal of residues under 268.33(f)	50	264.13(b)(7)(iii)(B) (2)	264.13(b)(7) (iii)(B)(2)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	264.73(b)(3)	264.73(b)(3)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generator notice	34,50	264.73(b)(10)	264.73(b)(10)	X			
add new paragraph; off-site treatment facility requirements	34,50	264.73(b)(11)	264.73(b)(11)	X			
add new paragraph; on-site treatment facility requirements	34,50	264.73(b)(12)	264.73(b)(12)	X			
add new paragraph; off-site land disposal facility requirements	34,50	264.73(b)(13)	264.73(b)(13)	X			
9 add new paragraph; on-site land disposal facility requirements	34,50	264.73(b)(14)	264.73(b)(14)	X			
add new paragraph; off-site storage facility requirements	50	264.73(b)(15)	264.73(b)(15)	X			
add new paragraph; on-site storage facility requirements	50	264.73(b)(16)	264.73(b)(16)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from the end of paragraph	109	264.110(b)(1)	264.110(b)(1)	X			
replace "." with ";	109	264.110(b)(2)	264.110(b)(2)	X			
replace "." with "; and"	109	264.110(b)(3)	264.110(b)(3)	X			
add new paragraph addressing containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.110(b)(4)	264.110(b)(4)	X			

CLOSURE PERFORMANCE STANDARD

change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.111(c)	264.111(c)	X			
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CLOSURE PLAN; AMENDMENT OF PLAN

replace "264.90 et seq." with "subpart F of this part"; change "and 264.601" to ", 264.601 and 264.1102"	109	264.112(a)(2)	264.112(a)(2)	X			
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SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

replace ", and" with ";	109	264.140(b)(1)	264.140(b)(1)	X			
replace "." with ";	109	264.140(b)(2)	264.140(b)(2)	X			
replace "." with "; and"	109	264.140(b)(3)	264.140(b)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph regarding containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.140(b)(4)	264.140(b)(4)	X			

COST ESTIMATE FOR CLOSURE

change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.142(a)	264.142(a)	X			
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SUBPART K - SURFACE IMPOUNDMENTS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.229	264.229	X			
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SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and waste pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.256	264.256	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and the treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	264.281	264.281	X			
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SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

replace "in treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meet all applicable requirements of Part 268, and:"	78	264.312(a)	264.312(a)	X			
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	264.312(b)	264.312(b)	X			

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

†,11 add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 264.316(b) requirements if incinerate lab packs	78	264.316(f)	264.316(f)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

12

SUBPART DD - CONTAINMENT BUILDINGS**APPLICABILITY**

applies to owners/operators storing or treating hazardous waste in units designed and operated under 264.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	264.1100	264.1100	X			
is a completely enclosed, self-supporting structure designed and constructed as specified	109	264.1100(a)	264.1100(a)	X			
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	264.1100(b)	264.1100(b)	X			
if used to manage liquids:	109	264.1100(c)	264.1100(c)	X			
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	264.1100(c)(1)	264.1100(c)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
liquid collection system to minimize accumulation of liquid on primary barrier	109	264.1100(c)(2)	264.1100(c)(2)	X			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 264.1101(b)(4)	109	264.1100(c)(3)	264.1100(c)(3)	X			
controls to prevent fugitive dust emissions to meet 264.1101(c)(1)(iv) standards	109	264.1100(d)	264.1100(d)	X			
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	264.1100(e)	264.1100(e)	X			
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	264.1101(a)	264.1101(a)	X			
completely enclosed as specified	109	264.1101(a)(1)	264.1101(a)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	264.1101(a)(2)	264.1101(a)(2)	X			
provide effective barrier against fugitive dust emissions under 264.1101(c)(1)(iv)	109	264.1101(a)(2)(i)	264.1101(a)(2)(i)	X			
unit designed and operated so that wastes do not contact openings	109	264.1101(a)(2)(ii)	264.1101(a)(2)(ii)	X			
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	264.1101(a)(3)	264.1101(a)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER/ IN SCOPE
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	264.1101(a)(4)	264.1101(a)(4)	X			
requirements for hazardous waste containing free liquids or treated with free liquids:	109	264.1101(b)	264.1101(b)	X			
primary barrier to prevent migration of hazardous constituents into the barrier	109	264.1101(b)(1)	264.1101(b)(1)	X			
liquid collection and removal system to minimize accumulation of liquid on primary barrier:	109	264.1101(b)(2)	264.1101(b)(2)	X			
primary barrier sloped to drain liquids to collection system	109	264.1101(b)(2)(i)	264.1101(b)(2)(i)	X			
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time	109	264.1101(b)(2)(ii)	264.1101(b)(2)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	264.1101(b)(3)	264.1101(b) (3)	X			
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	264.1101(b)(3)(i)	264.1101(b) (3)(i)	X			
constructed with 1% or greater bottom slope	109	264.1101(b)(3)(i) (A)	264.1101(b) (3)(i)(A)	X			
granular, synthetic, or geonet drainage materials as specified	109	264.1101(b)(3)(i) (B)	264.1101(b) (3)(i)(B)	X			
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	264.1101(b)(3)(ii)	264.1101(b) (3)(ii)	X			
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	264.1101(b)(3)(iii)	264.1101(b) (3)(iii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	264.1101(b)(4)	264.1101(b)(4)	X			
13 provide written notice by February 18, 1993; what notice must contain	109	264.1101(b)(4)(i)	264.1101(b)(4)(i)	X			
respond to Regional Administrator comments within 30 days	109	264.1101(b)(4)(ii)	264.1101(b)(4)(ii)	X			
if approved, fulfill terms of revised plans	109	264.1101(b)(4)(iii)	264.1101(b)(4)(iii)	X			
owners and operators of all containment buildings must:	109	264.1101(c)	264.1101(c)	X			
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	264.1101(c)(1)	264.1101(c)(1)	X			
maintain primary barrier as specified	109	264.1101(c)(1)(i)	264.1101(c)(1)(i)	X			
maintain level of stored/treated hazardous waste as specified	109	264.1101(c)(1)(ii)	264.1101(c)(1)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	264.1101(c)(1)(iii)	264.1101(c)(1)(iii)	X			
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	264.1101(c)(1)(iv)	264.1101(c)(1)(iv)	X			
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	264.1101(c)(2)	264.1101(c)(2)	X			
prompt repairs of unit throughout active life as specified, according to the following procedures:	109	264.1101(c)(3)	264.1101(c)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
14. detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	264.1101(c)(3)(i)	264.1101(c)(3)(i)	X			
enter record of discovery in facility operating record	109	264.1101(c)(3)(i)(A)	264.1101(c)(3)(i)(A)	X			
immediately remove portion of containment building affected by the condition from service	109	264.1101(c)(3)(i)(B)	264.1101(c)(3)(i)(B)	X			
determine steps to be taken for repair, remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	264.1101(c)(3)(i)(C)	264.1101(c)(3)(i)(C)	X			
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	264.1101(c)(3)(i)(D)	264.1101(c)(3)(i)(D)	X			
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	264.1101(c)(3)(ii)	264.1101(c)(3)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
written notification to Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 264.1101(c)(3)(i)(D) plan	109	264.1101(c)(3)(iii)	264.1101(c) (3)(iii)	X			
what must be inspected and recorded in facility's operating records, at least once every seven days	109	264.1101(c)(4)	264.1101(c) (4)	X			
for containment buildings that contain areas both with and without secondary containment, the owner/operator must:	109	264.1101(d)	264.1101(d)	X			
design and operate each area in accordance with 264.1101(a)-(c) requirements	109	264.1101(d)(1)	264.1101(d) (1)	X			
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	264.1101(d)(2)	264.1101(d) (2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	264.1101(d)(3)	264.1101(d)(3)	X			
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	264.1101(e)	264.1101(e)	X			
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 264 Subpart G & H requirements	109	264.1102(a)	264.1102(a)	X			
if 264.1102(a) requirements met and not all contaminated subsoils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 264.310; owner/operator must meet 264 Subpart G & H requirements for landfills	109	264.1102(b)	264.1102(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
reserved	109	264.1103- 264.1110	264.1103- 264.1110	X			

**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

change "." to ","; add phrase regarding compliance with 265.17(b) if owner or operator is diluting hazardous ignitable wastes or corrosive wastes to remove characteristic before land disposal	124	265.1(c)(10)	265.1(c)(10)	X			
9 add new paragraph regarding facilities to which Part 265 applies; Part 268 standards are material conditions of the 265 standards	34,78	265.1(e)	265.1(e)	X			

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

10 insert "Part 268"; add sentence regarding what information, at a minimum, the waste analysis must contain	34,102	265.13(a)(1)	265.13(a)(1)	X			
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**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
revise comment following subparagraph (a)(2) as follows: remove "or all" after "supply part"; add ", except as otherwise specified in 40 CFR 268.7(b) and (c)." to the second sentence	78	265.13(a)(2)	265.13(a)(2)	X			
insert "268.7"	34	265.13(b)(6)	265.13(b)(6)	X			
add new paragraph and subparagraphs regarding exempt surface impoundment plan specifications	34	265.13(b)(7)	265.13(b)(7)	X			
sampling impoundment contents	34	265.13(b)(7)(i)	265.13(b)(7)(i)	X			
analysis procedures	34	265.13(b)(7)(ii)	265.13(b)(7) (ii)	X			
annual removal of specific residues; criteria:	34,39,50	265.13(b)(7)(iii)	265.13(b)(7) (iii)	X			
do not meet treatment standards of Part 268, Subpart D	50	265.13(b)(7)(iii)(A)	265.13(b)(7) (iii)(A)	X			
where no treatment standards have been established	50	265.13(b)(7)(iii)(B)	265.13(b)(7) (iii)(B)	X			
prohibited disposal of residues under 268.32 or RCRA 3004(d)	50	265.13(b)(7)(iii)(B) (1)	265.13(b)(7) (iii)(B)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
prohibited disposal of residues under 268.33(f)	50	265.13(b)(7)(iii)(B) (2)	265.13(b)(7) (iii)(B)(2)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

add "268.4(a)" and "268.7"	34	265.73(b)(3)	265.73(b)(3)	X			
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add new paragraph; records for each shipment placed in units under a 268.5 extension, a 268.6 petition, or a 268.8 certification; 268.7(a) generation notice	34,50	265.73(b)(8)	265.73(b)(8)			X	
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Comment for 265.73(b)(8): Delaware references 268.7 rather than 268.7(a), as found in the Federal code. It is more stringent in that it requires the owner or operator to retain notices required under all of DRGHW §268.7 (analogous to 40 CFR 268.7) in the facility operating record. The Federal code only requires that the notices specified in 268.7(a) be retained in the operating record.

add new paragraph; off-site treatment facility requirements	34,50	265.73(b)(9)	265.73(b)(9)	X			
add new paragraph; on-site treatment facility requirements	34,50	265.73(b)(10)	265.73(b)(10)	X			
add new paragraph; off-site land disposal facility requirements	34,50	265.73(b)(11)	265.73(b)(11)	X			
add new paragraph; on-site land disposal facility requirements	34,50	265.73(b)(12)	268.73(b)(12)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; off-site storage facility requirements	50	265.73(b)(13)	268.73(b)(13)	X			
add new paragraph; on-site storage facility requirements	50	265.73(b)(14)	268.73(b)(14)	X			

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from end of paragraph	109	265.110(b)(1)	265.110(b)(1)	X			
remove "and" from end of paragraph	109	265.110(b)(2)	265.110(b)(2)	X			
replace "." with "; and"	109	265.110(b)(3)	265.110(b)(3)	X			
add new paragraph addressing containment buildings that are required under 265.1102 to meet the requirements for landfills	109	265.110(b)(4)	265.110(b)(4)	X			

CLOSURE PERFORMANCE STANDARD

change "and 265.404" to ", 265.404, and 264.1102"	109	265.111(c)	265.111(c)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

CLOSURE PLAN; AMENDMENT OF PLAN

15 replace "§§ 265.90 et seq." with "subpart F of this part, §§"; change ", and 265.404" to ", 265.404, and 264.1102"	109	265.112(d)(4)	265.112(d)(4)	X			
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SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

in 265.140(b) insert ":" after "of"; reorganize rest of paragraph after "apply to" into 265.140(b)(1) [disposal facilities] and 265.140(b)(2) [tank systems]; add 265.140(b)(3) addressing containment buildings	109	265.140(b)	265.140(b)	X			
		265.140(b)(1)	265.140(b)(1)	X			
		265.140(b)(2)	265.140(b)(2)	X			
		265.140(b)(3)	265.140(b)(3)	X			

COST ESTIMATE FOR CLOSURE

replace "of §§ 265.178" with "in §§ 265.178"; change "and 265.404" to ", 265.404 and 265.1102"	109	265.142(a)	265.142(a)	X			
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**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART K - SURFACE IMPOUNDMENTS

DESIGN AND OPERATING REQUIREMENTS

add new paragraph regarding surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period	109	265.221(h)	265.221(h)	X			
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SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and impoundment satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.229	265.229	X			
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SUBPART L - WASTE PILES

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and pile satisfy all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.256	265.256	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD- IN SCO

SUBPART M - LAND TREATMENT

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

insert "the waste and treatment zone meet all applicable requirements of 40 CFR Part 268, and" after "unless"	78	265.281	265.281	X			
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SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

replace "is treated, rendered, or mixed before or immediately after placement in a landfill so that:" with "and landfill meets all applicable requirements of 40 CFR Part 268, and:"	78	265.312(a)	265.312(a)	X			
begin the first sentence with "Except for prohibited wastes which remain subject to treatment standards in Subpart D of Part 268,"	78	265.312(b)	265.312(b)	X			

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

†,11 add new paragraph regarding disposal in compliance with Part 268; requirement for fiber drums to meet DOT specifications and 265.316(b) requirements if incinerate lab packs	78	265.316(f)	265.316(f)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

12

SUBPART DD - CONTAINMENT BUILDINGS

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART DD - CONTAINMENT BUILDINGS							
APPLICABILITY							
applies to owners/operators storing or treating hazardous waste in units designed and operated under 265.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	265.1100	265.1100	X			
is a completely enclosed, self supporting structure designed and constructed as specified	109	265.1100(a)	265.1100(a)	X			
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	265.1100(b)	265.1100(b)	X			
if used to manage liquids:	109	265.1100(c)	265.1100(c)	X			
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	265.1100(c)(1)	265.1100(c)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
liquid collection system to minimize accumulation of liquid on primary barrier	109	265.1100(c)(2)	265.1100(c)(2)	X			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 265.1101(b)(4)	109	265.1100(c)(3)	265.1100(c)(3)	X			
16 controls to prevent fugitive dust emissions	109	265.1100(d)	265.1100(d)	X			
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	265.1100(e)	265.1100(e)	X			
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	265.1101(a)	265.1101(a)	X			
completely enclosed as specified	109	265.1101(a)(1)	265.1101(a)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	265.1101(a)(2)	265.1101(a)(2)	X			
provide effective barrier against fugitive dust emissions under 265.1101(c)(1)(iv)	109	265.1101(a)(2)(i)	265.1101(a)(2)(i)	X			
unit designed and operated so that wastes do not contact openings	109	265.1101(a)(2)(ii)	265.1101(a)(2)(ii)	X			
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	265.1101(a)(3)	265.1101(a)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROA IN E
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	265.1101(a)(4)	265.1101(a)(4)	X			
requirements for hazardous waste containing free liquids or treated with free liquids:	109	265.1101(b)	265.1101(b)	X			
primary barrier to prevent migration of hazardous constituents into the barrier	109	265.1101(b)(1)	265.1101(b)(1)	X			
liquid collection and removal system to prevent accumulation of liquid on primary barrier:	109	265.1101(b)(2)	265.1101(b)(2)	X			
primary barrier sloped to drain liquids to collection system	109	265.1101(b)(2)(i)	265.1101(b)(2)(i)	X			
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time to protect human health and environment	109	265.1101(b)(2)(ii)	265.1101(b)(2)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	265.1101(b)(3)	265.1101(b)(3)	X			
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	265.1101(b)(3)(i)	265.1101(b)(3)(i)	X			
construct with 1% or greater bottom slope	109	265.1101(b)(3)(i)(A)	265.1101(b)(3)(i)(A)	X			
granular, synthetic, or geonet drainage materials as specified	109	265.1101(b)(3)(i)(B)	265.1101(b)(3)(i)(B)	X			
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	265.1101(b)(3)(ii)	265.1101(b)(3)(ii)	X			
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	265.1101(b)(3)(iii)	265.1101(b)(3)(iii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	265.1101(b)(4)	265.1101(b)(4)	X			
provide written notice by February 18, 1993; what notice must contain	109	265.1101(b)(4)(i)	265.1101(b)(4)(i)	X			
respond to Regional Administrator comments within 30 days	109	265.1101(b)(4)(ii)	265.1101(b)(4)(ii)	X			
if approved, fulfill terms of revised plans	109	265.1101(b)(4)(iii)	265.1101(b)(4)(iii)	X			
owners and operators of all containment buildings must:	109	265.1101(c)	265.1101(c)	X			
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	265.1101(c)(1)	265.1101(c)(1)	X			
maintain primary barrier as specified	109	265.1101(c)(1)(i)	265.1101(c)(1)(i)	X			
maintain level of stored/treated hazardous waste as specified	109	265.1101(c)(1)(ii)	265.1101(c)(1)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	265.1101(c)(1)(iii)	265.1101(c)(1)(iii)	X			
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	265.1101(c)(1)(iv)	265.1101(c)(1)(iv)	X			
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	265.1101(c)(2)	265.1101(c)(2)	X			
prompt repairs of unit throughout active life, according to the following procedures:	109	265.1101(c)(3)	265.1101(c)(3)	X			
detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	265.1101(c)(3)(i)	265.1101(c)(3)(i)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
enter record of discovery in facility operating record	109	265.1101(c)(3)(i)(A)	265.1101(c)(3)(i)(A)	X			
immediately remove portion of containment building affected by the condition from service	109	265.1101(c)(3)(i)(B)	265.1101(c)(3)(i)(B)	X			
determine steps to be taken for repair; remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	265.1101(c)(3)(i)(C)	265.1101(c)(3)(i)(C)	X			
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	265.1101(c)(3)(i)(D)	265.1101(c)(3)(i)(D)	X			
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	265.1101(c)(3)(ii)	265.1101(c)(3)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
written notification of Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 265.1101(c)(3)(i)(D) plan	109	265.1101(c)(3)(iii)	265.1101(c) (3)(iii)	X			
what must be inspected and recorded in facility's operating records, at least once every seven days	109	265.1101(c)(4)	265.1101(c) (4)	X			
for containment building that contains both areas with and without secondary containment, the owner/operator must:	109	265.1101(d)	265.1101(d)	X			
design and operate each area in accordance with 265.1101(a)-(c) requirements	109	265.1101(d)(1)	265.1101(d) (1)	X			
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	265.1101(d)(2)	265.1101(d) (2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER SCOPE
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	265.1101(d)(3)	265.1101(d)(3)	X			
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	265.1101(e)	265.1101(e)	X			
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 265 Subparts G & H requirements	109	265.1102(a)	265.1102(a)	X			
if 265.1102(a) requirements met and not all contaminated soils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 265.310; owner/operator must meet 265 Subparts G & H requirements for landfills	109	265.1102(b)	265.1102(b)	X			
reserved	109	265.1103- 265.1110	265.1103- 265.1110	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND
SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

add language to reflect that products for general public's use are not subject to regulation if they meet treatment requirements of 268 Subpart D or prohibition levels of 268.32 or RCRA 3004(d) where no treatment standards; delete the word "constituent" from the parenthetical phrase following "recyclable material"; add sentence exempting from regulation commercial fertilizers produced for the general public's use that contain recyclable materials; zinc-containing fertilizers using K061 not subject to this requirement	50,66	266.20(b)	266.20(b)	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	34	268.1(a)	268.1	X			
applicability	34	268.1(b)	268.1(b)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
conditions for continued land disposal:	34,66	268.1(c)	268.1(c)	X			
9 persons with an extension	34	268.1(c)(1)	268.1(c)(1)	X			
9 persons with an exemption	34	268.1(c)(2)	[reserved]--No State analog	X			
17 wastes that are hazardous only because they exhibit a hazardous characteristic, and which are otherwise prohibited from land disposal, are not prohibited from land disposal if the wastes:	34,39,50,66,78	268.1(c)(3)	268.1(c)(3)	X			
disposed into a nonhazardous or hazardous injection well as defined in 40 CFR 144.6(a)	78	268.1(c)(3)(i)	268.1(c)(3)(i)	X			
do not exhibit any prohibited characteristic of hazardous waste at the point of injection	78	268.1(c)(3)(ii)	268.1(c)(3)(ii)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
18 removed	34,39, 50,66	268.1(c)(4)	268.1(c)(4)	X			
19 removed	39,48, 50,78	268.1(c)(5)	268.1(c)(5)	X			
preserve waiver availability under 121(d)(4) of CERCLA	50	268.1(d)	268.1(d)	X			
wastes which are not subject to any provisions of Part 268:	66	268.1(e)	268.1(e)	X			
wastes generated by generators of less than 100 kg of hazardous waste or less than 1 kg of acute hazardous waste, as defined in 261.5	66	268.1(e)(1)	268.1(e)(1)	X			
waste pesticides that a farmer disposes pursuant to 262.70	66	268.1(e)(2)	268.1(e)(2)	X			
wastes identified or listed as hazardous after November 8, 1984 for which EPA has not promulgated land disposal prohibitions or treatment standards	66	268.1(e)(3)	268.1(e)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
20 <i>de minimis</i> losses to wastewater treatment systems of commercial chemical product or chemical intermediates that are ignitable or corrosive, and that contain underlying hazardous constituents as defined in 268.2, are not considered to be prohibited wastes; <i>de minimis</i> defined	124	268.1(e)(4)	268.1(e)(4)	X			
land disposal prohibitions do not apply to laboratory wastes displaying the characteristic of ignitability or corrosivity that are commingled with other plant wastewaters under designated circumstances: such wastes at facilities whose ultimate discharge is subject to regulation under the CWA, provided the annualized flow of laboratory wastewater into facility's headwork does not exceed 1%, or provided that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headwork	124	268.1(e)(5)	268.1(e)(5)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DEFINITIONS APPLICABLE TO THIS PART							
introductory paragraph regarding definitions	78	268.2	268.2	X			
"halogenated organic compounds" or "HOCs"	39,78	268.2(a)	268.2(a)	X			
"hazardous constituent or constituents"	34,78	268.2(b)	268.2(b)	X			
"land disposal"	34,39,78	268.2(c)	268.2(c)	X			
"nonwastewaters"	78,83	268.2(d)	268.2(d)	X			
"polychlorinated biphenyls" or "PCBs"	39,78	268.2(e)	268.2(e)	X			
"wastewaters"	78	268.2(f)	268.2(f)	X			
"F001, F002, F003, F004; F005 solvent- water mixtures"	78,83	268.2(f)(1)	268.2(f)(1)	X			
"K011, K013, K014 wastewaters"	78,83	268.2(f)(2)	268.2(f)(2)	X			
"K103 and K104 wastewaters"	78	268.2(f)(3)	268.2(f)(3)	X			
"debris" -	78, 83,109	268.2(g)	268.2(g)	X			
removed	78, 83,109	268.2(g)(1)-(8)	268.2(g)(1)- (8)	X			
"hazardous debris"	109	268.2(h)	268.2(h)	X			
"underlying hazardous constituent"	124	268.2(i)	268.2(i)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCC

DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT

25 except as provided in 268.3(b); dilution not substitute for treatment; restriction regarding circumvention of effective dates and avoidance of prohibition of Subpart C or RCRA 3004	34,39,78	268.3(a)	268.3(a)	X			
permissible forms of dilution related to Sections 307 or 402 of the CWA; exception for D003 reactive cyanide wastewater or nonwastewater	78,102	268.3(b)	268.3(b)	X			

† TREATMENT SURFACE IMPOUNDMENT EXEMPTION

when prohibited wastes may be treated in a surface impoundment	34	268.4(a)	268.4(a)				
treatment occurs in impoundments	34	268.4(a)(1)	268.4(a)(1)	X			
soft hammer wastes in treatment surface impoundments that meet a list of conditions:	34,39,50	268.4(a)(2)	268.4(a)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
sampling and testing requirements for wastes with and without treatment standards; supernatant and sludge samples tested separately	50	268.4(a)(2)(i)	268.4(a)(2)(i)	X			
annual removal of specific residues; residues subject to valid certification; flow-through standard of removal for supernatant	50	268.4(a)(2)(ii)	268.4(a)(2)(ii)	X			
requirements for subsequent management of treatment residues in another impoundment; prohibited unless certification under 268.8 and standards of 268.8(a) are met	50	268.4(a)(2)(iii)	268.4(a)(2)(iii)	X			
recordkeeping requirements must be specified in the facility's waste analysis plan	50	268.4(a)(2)(iv)	268.4(a)(2)(iv)	X			
9 design requirements/ exemptions	34	268.4(a)(3)	268.4(a)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
exempt under 264.221(d) or (e) or 265.221(c) or (d)	34	268.4(a)(3)(i)	268.4(a)(3)(i)	X			
9 conditions under which Administrator grants waiver of requirements; meets RCRA §3005(j)(2)	34	268.4(a)(3)(ii)	268.4(a)(3)(ii)	X			
		268.4(a)(3)(ii)(A)	268.4(a)(3)(ii) (A)	X			
		268.4(a)(3)(ii)(B)	268.4(a)(3)(ii) (B)	X			
		268.4(a)(3)(ii)(C)	268.4(a)(3)(ii) (C)	X			
9 modification granted on basis of a demonstration of no migration into groundwater or surface water at any future time; satisfies RCRA §3005(j)(11) no migration	34	268.4(a)(3)(iii)	268.4(a)(3)(iii)	X			
9 submittal of written certification and waste analysis plan	34	268.4(a)(4)	268.4(a)(4)	X			
evaporation of hazardous constituents not considered treatment for exemption purposes	39	268.4(b)	268.4(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Guidance note: 268.5 is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE

application to EPA Administrator for an extension to effective date of any Part 268, Subpart C restriction; what the applicant must demonstrate:	34	268.5(a)	268.5(a)	X			
good-faith effort to locate and contract with treatment, recovery, or disposal facilities nationwide to manage waste according to Subpart C effective date	34	268.5(a)(1)	268.5(a)(1)	X			
binding contractual commitment to construct or provide alternate treatment, recovery (e.g., recycling), or disposal capacity that meets Subpart D treatment standards; requirements when no treatment standards	34,39	268.5(a)(2)	268.5(a)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD- IN SCC
demonstration that alternative capacity cannot reasonably be available by effective date due to circumstances beyond applicant's control; how this must be demonstrated	34	268.5(a)(3)	268.5(a)(3)	X			
capacity being constructed or provided by applicant must be sufficient to manage entire quantity of waste	34	268.5(a)(4)	268.5(a)(4)	X			
detailed schedule for obtaining required permits or outline of how and when alternate capacity will be available	34	268.5(a)(5)	268.5(a)(5)	X			
arranged for adequate capacity during extension and documented in all site locations where wastes will be managed	34	268.5(a)(6)	268.5(a)(6)	X			
surface impoundment or landfill used must meet 268.5(h)(2) requirements	34	268.5(a)(7)	268.5(a)(7)	X			
certification by authorized representative signing an application	34	268.5(b)	268.5(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Administrator may request additional information	34	268.5(c)	268.5(c)	X			
extension applies only to waste generated at individual facility covered by extension	34	268.5(d)	268.5(d)	X			
Administrator may grant extension of up to 1 year from effective date; extension for 1 additional year if 268.5(a) demonstration can still be made; no extension beyond 24 months from 268, Subpart C effective date; length of extension determined by Administrator and basis; public notice and comment; final decision published in <u>Federal Register</u>	34	268.5(e)	268.5(e)	X			
notify Administrator of change in certified conditions	34	268.5(f)	268.5(f)	X			
written progress reports at intervals designated by Administrator; what progress reports must include; conditions for revocation of extension by Administrator	34	268.5(g)	268.5(g)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
during period established by Administrator for which extension is in effect:	34	268.5(h)	268.5(h)	X			
268.5(a) storage restrictions do not apply	34,39	268.5(h)(1)	268.5(h)(1)	X			
conditions for disposal in landfill or surface impoundment regardless of whether unit is existing, new, replacement or lateral extension	34,50,66	268.5(h)(2)	268.5(h)(2)	X			
interim status landfill requirements	34	268.5(h)(2)(i)	268.5(h)(2)(i)	X			
permitted landfill requirements	34,109	268.5(h)(2)(ii)	268.5(h)(2)(ii)	X			
interim status surface impoundment requirements	34,39	268.5(h)(2)(iii)	268.5(h)(2)(iii)	X			
permitted surface impoundment requirements	34,109	268.5(h)(2)(iv)	268.5(h)(2)(iv)	X			
26 surface impoundments newly subject to RCRA 3006(j); compliance with 265 Subpart F within 12 months and with 265.221(a), (c), and (d) within 48 months; effect of a national capacity variance	109	268.5(h)(2)(v)	268.5(h)(2)(v)	X			
26 requirements for landfills disposing of specified PCB waste	39,109	268.5(h)(2)(vi)	268.5(h)(2)(vi)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
pending decision on application, compliance with all legal disposal restrictions once effective date has been reached	34	268.5(i)	268.5(i)	X			

Guidance note: 268.6 is **NOT DELEGABLE**. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

PETITIONS TO ALLOW LAND DISPOSAL OF A WASTE PROHIBITED UNDER SUBPART C OF PART 268

submit petition to Administrator; demonstration of no waste migration; demonstration components	34	268.6(a)	268.6(a)	X			
identify specific unit and waste	34	268.6(a)(1)	268.6(a)(1)	X			
waste analysis	34	268.6(a)(2)	268.6(a)(2)	X			
comprehensive disposal unit characterization	34	268.6(a)(3)	268.6(a)(3)	X			
monitoring plan detecting migration at the earliest time	50	268.6(a)(4)	268.6(a)(4)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
sufficient information to assure Administrator that owner/operator is in compliance with other applicable Federal, State and local laws	50	268.6(a)(5)	268.6(a)(5)	X			
demonstration criteria:	50	268.6(b)	268.6(b)	X			
data must be accurate and reproducible	50	268.6(b)(1)	268.6(b)(1)	X			
Administrator approved sampling, testing and estimation techniques	34	268.6(b)(2)	268.6(b)(2)	X			
model calibration; models verified with actual data	34	268.6(b)(3)	268.6(b)(3)	X			
quality assurance/control plan approved by Administrator	34	268.6(b)(4)	268.6(b)(4)	X			
uncertainty analysis	34	268.6(b)(5)	268.6(b)(5)	X			
27 what each petition must include:	50	268.6(c)	268.6(c)	X			
monitoring plan including description of monitoring program to verify continued compliance with variance; information which must be included	50	268.6(c)(1)	268.6(c)(1)	X			
media monitored	50	268.6(c)(1)(i)	268.6(c)(1)(i)	X			
type of monitoring	50	268.6(c)(1)(ii)	268.6(c)(1)(ii)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
monitoring station location	50	268.6(c)(1)(iii)	268.6(c)(1)(iii)	X			
monitoring interval	50	268.6(c)(1)(iv)	268.6(c)(1)(iv)	X			
specific hazardous constituents to be monitored	50	268.6(c)(1)(v)	268.6(c)(1)(v)	X			
monitoring program implementation schedule	50	268.6(c)(1)(vi)	268.6(c)(1)(vi)	X			
monitoring station equipment	50	268.6(c)(1)(vii)	268.6(c)(1)(vii)	X			
sampling and analytical techniques employed	50	268.6(c)(1)(viii)	268.6(c)(1)(viii)	X			
data recording/reporting procedures	50	268.6(c)(1)(ix)	268.6(c)(1)(ix)	X			
268.6(c)(1) monitoring program must be in place by Administrator-specified time period, as part of approval of the petition, prior to prohibited waste receipt at unit	50	268.6(c)(2)	268.6(c)(2)	X			
268.6(c)(1) monitoring data sent to Administrator according to monitoring plan must be according to approved format and schedule	50	268.6(c)(3)	268.6(c)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
monitoring data as per 268.6(c)(1) monitoring plan must be kept in on-site operating record	50	268.6(c)(4)	268.6(c)(4)	X			
criteria the 268.6(c)(1) monitoring program must meet:	50	268.6(c)(5)	268.6(c)(5)	X			
Administrator approval for all sampling, testing, and analytical data; data accurate and reproducible	50	268.6(c)(5)(i)	268.6(c)(5)(i)	X			
Administrator approval of all estimation and monitoring techniques	50	268.6(c)(5)(ii)	268.6(c)(5)(ii)	X			
QA/QC plan for all aspects of monitoring program provided to and approved by Administrator	50	268.6(c)(5)(iii)	268.6(c)(5)(iii)	X			
27, petition submitted to 28 Administrator	34,50	268.6(d)	268.6(d)	X			
29 reporting of changes at unit and/or surrounding environment that significantly depart from variances and affect migration potential	50	268.6(e)	268.6(e)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
changes to unit design, construction or operation proposed in writing and a demonstration to Administrator 30 days prior to change; Administrator makes determination if petition is invalidated and determines appropriate response; Administrator approval before changes can be made	50	268.6(e)(1)	268.6(e)(1)	X			
within 10 days of discovering change, written notification to Administrator if condition is not as predicted or modeled in petition; Administrator decides if change requires further action	50	268.6(e)(2)	268.6(e)(2)	X			
30 owner/operator responsibilities if hazardous waste migration:	50	268.6(f)	268.6(f)	X			
immediate suspension of prohibited waste receipt	50,66	268.6(f)(1)	268.6(f)(1)	X			
within 10 days written notification to Administrator	50	268.6(f)(2)	268.6(f)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Administrator decision within 60 days as to continued receipt of prohibited waste; Administrator determines if further examination of any migration warranted	50	268.6(f)(3)	268.6(f)(3)	X			
31 signed statement	34,50	268.6(g)	268.6(g)	X			
31 Administrator may request additional information	34,50	268.6(h)	268.6(h)	X			
31 waste unit to which petition applies	34,50	268.6(i)	268.6(i)	X			
31 Administrator gives public notice in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34,50	268.6(j)	268.6(j)	X			
31 term of petition	34,50	268.6(k)	268.6(k)	X			
31 requirements prior to Administrator's decision	34,50	268.6(l)	268.6(l)	X			
31 petition granted by Administrator does not relieve responsibilities under RCRA	34,50	268.6(m)	268.6(m)	X			
32 noneligibility of certain liquid PCB wastes for "no migration" petitions under 268.6	39,50	268.6(n)	268.6(n)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
***** *****							
WASTE ANALYSIS AND RECORDKEEPING							
generator determines if listed waste is a restricted waste; 268.32 exception; if characteristic is exhibited, test extract using 268, Appendix IX methods or use knowledge of waste to determine if restricted from land disposal; what the generator must do if he determines that his waste displays characteristic of ignitability or corrosivity and is prohibited under 268.37	34,39,50,83,124	268.7(a)	268.7(a)	X			
if generator is managing restricted waste that does not meet applicable treatment standards, must notify treatment or storage facility of appropriate treatment standards	34,39,50	268.7(a)(1)	268.7(a)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
33, 34 information the notice must include	34	268.7(a)(1)(i)	268.7(a)(1)(i)	X			
	34,39, 78,83, 124	268.7(a)(1)(ii)	268.7(a)(1)(ii)	X			
	34,109	268.7(a)(1)(iii)	268.7(a)(1)(iii)	X			
	109	268.7(a)(1)(iv)	268.7(a)(1)(iv)	X			
	34,109	268.7(a)(1)(v)	268.7(a)(1)(v)	X			
9 if managing restricted waste that can be land disposed without further treatment, notice and certification to treatment, storage, or land disposal facility; generators of hazardous debris that is excluded from the definition of hazardous waste under 261.3(e) (2) not subject to notice and certification	34,39, 50,109	268.7(a)(2)	268.7(a)(2)	X			
	34	268.7(a)(2)(i)	268.7(a)(2)(i)	X			
		268.7(a)(2)(i)(A)	268.7(a)(2)(i) (A)	X			
	34,39, 78,83	268.7(a)(2)(i)(B)	268.7(a)(2)(i) (B)	X			
	34	268.7(a)(2)(i)(C)	268.7(a)(2)(i) (C)	X			
		268.7(a)(2)(i)(D)	268.7(a)(2)(i) (D)	X			
	34	268.7(a)(2)(ii)		X			
information required in notice to treatment, storage or land disposal facility							
certification signature/statement	34,39	268.7(a)(2)(ii)		X			

Comment for 268.7(a)(2)(i)(B) and 268.7(a)(2)(ii): See comment for 268.7(a)(1).

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
9 for waste subject to exemption from prohibition (such as a case-by-case 268.5 extension, 268.6 exemption or Subpart C nationwide capacity variance) on land disposal method used for the waste, notice to receiving facility that waste is not prohibited from land disposal	34,50,66	268.7(a)(3)	268.7(a)(3)	X			
35 information the notice must include	50	268.7(a)(3)(i)	268.7(a)(3)(i)	X			
	50,78,83	268.7(a)(3)(ii)	268.7(a)(3)(ii)	X			
	50	268.7(a)(3)(iii)	268.7(a)(3)(iii)	X			
	50,109	268.7(a)(3)(iv)	268.7(a)(3)(iv)	X			
	109	268.7(a)(3)(v)	268.7(a)(3)(v)	X			
	50,109	268.7(a)(3)(vi)	268.7(a)(3)(vi)	X			
36 for prohibited waste managed in tanks, containers, or containment buildings under 262.34 and treated to meet 268 Subpart D standards, waste analysis plan to be developed, followed and kept on-site; generators treating hazardous debris under 268.45, Table 1 alternative treatment standards not subject to analysis requirements	50,66, 78,109	268.7(a)(4)	268.7(a)(4)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
37 waste analysis plan based on detailed chemical and physical analysis of representative sample; contain information necessary to treat waste in accordance with 268 requirements	50,78	268.7(a)(4)(i)	268.7(a)(4)(i)	X			
37 file plan with EPA Regional Administrator or authorized State 30 days prior to treatment; delivery verified	50,78	268.7(a)(4)(ii)	268.7(a)(4)(ii)	X			
37 compliance with 268.7(a)(2) notification requirements for wastes shipped off-site	50,78	268.7(a)(4)(iii)	268.7(a)(4)(iii)	X			
37 removed	50,78	268.7(a)(4)(iv)	268.7(a)(4)(iv)	X			
9,38 maintenance of data supporting knowledge of waste; retention of waste analysis data on-site in files	34,50	268.7(a)(5)	268.7(a)(5)	X			
conditions under which a generator, managing a restricted waste excluded from the definition of hazardous or solid waste, must place a one-time notice in the facility's file containing specified information	83	268.7(a)(6)	268.7(a)(6)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
39 five-year retention period for notices, certifications, demonstrations, etc., produced relative to 268.7; extensions during enforcement actions; requirements apply to solid wastes even when hazard characteristic is removed prior to disposal or when waste excluded from definition of hazardous or solid waste in 261.2-261.6 or exempted from Subtitle C regulation subsequent to the point of generation	50,83	268.7(a)(7)	268.7(a)(7)	X			
†, notice for a generator 11, managing a lab pack 39 that contains wastes identified in Appendix IV if use alternative treatment standards under 268.42; 268.7(a)(5)&(6) compliance; certification	78,83	268.7(a)(8)	268.7(a)(8)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†, notice for a generator 11, managing a lab pack 39 that contains organic wastes specified in Appendix V if use alternate treatment standard under 268.42; 268.7(a) (5)&(6) compliance; certification	78,33	268.7(a)(9)	268.7(a)(9)	X			
39 notification and certification requirements for small quantity generators with tolling agreements pursuant to 40 CFR 262.20(e)	78,83	268.7(a)(10)	268.7(a)(10)			X	
Comment 268.7(a)(10): Delaware is more stringent than the Federal Code in that the State does not allow small quantity generators to utilize tolling agreements.							
treatment facility testing at frequency specified in waste analysis plan	34,39,50	268.7(b)	268.7(b)	X			
testing when standards are expressed as concentrations in waste extract	50	268.7(b)(1)	268.7(b)(1)	X			
testing of 268.32 or RCRA 3004(d) prohibited wastes not subject to Subpart D treatment standards	50	268.7(b)(2)	268.7(b)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
testing for wastes with treatment standards expressed as concentrations in waste	50	268.7(b)(3)	268.7(b)(3)	X			
40 notice with each shipment by treatment facility to land disposal facility; however, debris excluded from the hazardous waste definition at 261.3(e) is subject to notification and certification under 268.7(d)	34, 50, 109	268.7(b)(4)	268.7(b)(4)	X			
40, 33 information the notice must include	34, 50	268.7(b)(4)(i)	268.7(b)(4)(i)	X			
	34, 39, 50, 78, 83, 124	268.7(b)(4)(ii)	268.7(b)(4)(ii)	X			
		268.7(b)(4)(iii)	268.7(b)(4)(iii)	X			
	34, 50	268.7(b)(4)(iv)	268.7(b)(4)(iv)	X			
41 certification of each shipment; however, debris excluded from the definition of hazardous waste under 261.3(e) is subject to notification and certification under 268.7(d)	34, 39, 50, 109	268.7(b)(5)	268.7(b)(5)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
41 certification requirements for wastes with treatment standards expressed as concentrations in the waste extract or in the waste, or for wastes prohibited under 268.32 or RCRA Section 3004(d) which do not have 268, Subpart D treatment standards	34, 39, 50, 78	268.7(b)(5)(i)	268.7(b)(5)(i)	X			
41 certification requirements for wastes with treatment standards expressed as technologies	34, 50	268.7(b)(5)(ii)	268.7(b)(5)(ii)	X			
certification requirements for wastes with treatment standards expressed as concentrations in the waste pursuant to 268.43	78	268.7(b)(5)(iii)	268.7(b)(5)(iii)	X			
compliance with generator notice and certification requirements if waste sent offsite	50	268.7(b)(6)	268.7(b)(6)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
42 no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste- derived products	50,66,78	268.7(b)(7)	268.7(b)(7)	X			
43 requirements for land disposal facility except where the owner or operator is disposing recyclable wastes pursuant to 266.20(b):	34,39, 50,78	268.7(c)	268.7(c)	X			
43 have copies of notice and certifications under 268.7(a) or (b) and certifications in 268.8 if applicable	34,39,50	268.7(c)(1)	268.7(c)(1)	X			
43 test of waste or extract; applicable - treatment standards to be met; frequency of testing	39,50	268.7(c)(2)	268.7(c)(2)	X			
44 removed	50,78	268.7(c)(3)	268.7(c)(3)	X			
44 removed	66,78	268.7(c)(4)	268.7(c)(4)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
notification and certification requirements for generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under 261.3(e)	109	268.7(d)	268.7(d)	X			
one-time notification including specified information	109	268.7(d)(1)	268.7(d)(1)	X			
		268.7(d)(1)(i)	268.7(d)(1)(i)	X			
		268.7(d)(1)(ii)	268.7(d)(1)(ii)	X			
		268.7(d)(1)(iii)	268.7(d)(1)(iii)	X			
when notification must be updated	109	268.7(d)(2)	268.7(d)(2)	X			
how the owner or operator must document and certify compliance with Table 1, 268.45 treatment standards	109	268.7(d)(3)	268.7(d)(3)	X			
		268.7(d)(3)(i)	268.7(d)(3)(i)	X			
		268.7(d)(3)(ii)	268.7(d)(3)(ii)	X			
		268.7(d)(3)(iii)	268.7(d)(3)(iii)	X			
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS							
disposal of 268.33(f) prohibited wastes in landfills or surface impoundments in compliance with 268.5(h)(2) if requirements of 268.8 are met; section not in effect after May 8, 1990	50,78	268.8(a)	268.8(a)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
good faith generator effort to contract with treatment and recovery facilities providing greatest environmental benefit	50	268.8(a)(1)	268.8(a)(1)	X			
specific requirements for generator if no practically available treatment for waste:	50,66	268.8(a)(2)	268.8(a)(2)	X			
prior to initial shipment, demonstration to Regional Administrator containing specified lists and written discussion; certification; waste shipment	50,66	268.8(a)(2)(i)	268.8(a)(2)(i)	X			
for initial shipment, demonstration and certification sent to receiving facilities; certification only for subsequent shipments; generator recordkeeping and five-year retention	50,66	268.8(a)(2)(ii)	268.8(a)(2)(ii)	X			
specific requirements for generator if there are practically available treatments for waste:	50,66	268.8(a)(3)	268.8(a)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
prior to initial shipment, demonstration to Regional Administrator containing specified lists and written discussion; certification; waste shipment	66	268.8(a)(3)(i)	268.8(a)(3)(i)	X			
with initial shipment copy of demonstration and certification sent to receiving facilities; certification only for subsequent shipments; generator recordkeeping and five-year retention	66	268.8(a)(3)(ii)	268.8(a)(3)(ii)	X			
45 where there is practically available treatment for waste prior to disposal, copy of demonstration and certification submitted to receiving facility with initial shipment; certification only for subsequent shipments; generator recordkeeping and five-year retention	50	268.8(a)(4)	268.8(a)(4)	X			
additional information for certification if requested by Regional Administrator; submittal of new demonstration and certification as provided in 268.8(a) to the receiving facility	50	268.8(b)	268.8(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
notification when any change in conditions forming basis of certification occurs	50,66	268.8(b)(1)	268.8(b)(1)	X			
invalidation when Regional Administrator finds practically available treatment method or a method yielding greater environmental benefit than certified	50	268.8(b)(2)	268.8(b)(2)	X			
when certification is invalidated, generator must cease shipment, communicate with facilities receiving waste, and keep records of communication	50	268.8(b)(3)	268.8(b)(3)	X			
receiving treatment, recovery or storage facilities keep copy of generator's demonstration and certification	50	268.8(c)	268.8(c)	X			
receiving treatment, storage or recovery facility certify waste treated according to generator's demonstration	50	268.8(c)(1)	268.8(c)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for initial shipment, treatment, recovery or storage facility must send copy of generator's demonstration and certification(s) to facility receiving waste or treatment residues; certification only for subsequent shipments, if certification conditions remain unchanged	50,66	268.8(c)(2)	268.8(c)(2)	X			
disposal facility must assure certification prior to disposal in landfill or surface impoundment unit and units in accordance with 268.5(h)(2) for wastes prohibited under 268.33(f)	50,66	268.8(d)	268.8(d)	X			
wastes may be disposed in landfill or surface impoundment meeting 268.5(h)(2) requirements if certified and treated	50	268.8(e)	268.8(e)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC							
determination of applicable treatment standards under Subpart D, Part 268 by initial generator of a solid waste; code designation and exceptions; conditions under which generator must determine what underlying hazardous characteristics are reasonably expected to be present in the waste	78,83, 124	268.9(a)	268.9(a)	X			
the treatment standard for the waste code listed in 40 CFR Part 261, Subpart D will operate for wastes both listed under Subpart D, Part 261 and exhibit a characteristic under Subpart C, Part 261; conditions under which treatment standards for all applicable listed and characteristic waste codes must be met	78	268.9(b)	268.9(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
no prohibited waste which exhibits a characteristic under 40 CFR Part 261, Subpart C may be land disposed unless waste complies with Part 268, Subpart D treatment standards	78	268.9(c)	268.9(c)	X			
wastes that exhibit a characteristic are subject to 268.7 requirements; once wastes are no longer hazardous, place one-time notification and certification in generator's/treater's files and send to EPA region or authorized State; when notification and certification must be updated; annual EPA/ State notification if such changes occur, by December 31	78,109	268.9(d)	268.9(d)	X			
information needed with each notification	78	268.9(d)(1)	268.9(d)(1)	X			
	78,109	268.9(d)(1)(i)	268.9(d)(1)(i)	X			
	78, 83,109	268.9(d)(1)(ii)	268.9(d)(1)(ii)	X			
	78,109	268.9(d)(1)(iii)	268.9(d)(1)(iii)	X			
certification signed by authorized representative stating language found in 268.7(b)(5)	78,109	268.9(d)(2)	268.9(d)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**SUBPART B - SCHEDULE FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF
TREATMENT STANDARDS**

SCHEDULE FOR WASTES IDENTIFIED OR LISTED AFTER NOVEMBER 8, 1984

wastes identified or listed after 11/8/84, the Administrator shall make a land disposal prohibition determination	NA	268.13	268.13	X			
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46 SURFACE IMPOUNDMENT EXEMPTIONS

defines additional circumstances in which prohibited waste may continue to be placed in a surface impoundment	109	268.14(a)	268.14(a)	X			
continued storage of "newly identified waste" in newly regulated impoundment for 48 months after the promulgation of the additional listing or characteristic provided waste is not otherwise prohibited and impoundment is in compliance with 265, subpart F within 12 months after new listing/characteristic promulgation	109	268.14(b)	268.14(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
continue treatment of "newly identified waste" in newly regulated impoundment, provided waste is not otherwise prohibited, and surface impoundment is in compliance with 265, Subpart F within 12 months after new listing/characteristic promulgation	109	268.14(c)	268.14(c)	X			

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES

47	effective November 8, 1986, F001-F005 spent solvent wastes, as specified in 261.31, are prohibited from land disposal unless one or more conditions apply:	34	268.30(a)	268.30(a)	X		
	generated by an SQG of 100-1000 kg/mo	34	268.30(a)(1)	268.30(a)(1)	X		
	generated by a CERCLA response action/corrective action except where waste is contaminated soil or debris	34,50	268.30(a)(2)	268.30(a)(2)	X		
9	concentration-specific exemption (solvent waste with less than 1% total solvent constituent)	34,50	268.30(a)(3)	268.30(a)(3)	X		

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
solvent waste residue from treating a 268.30(a)(1), (a)(2), or (a)(3) waste or residue from other wastes meeting specific requirements	39	268.30(a)(4)	268.30(a)(4)	X			
effective November 8, 1988, the F001-F005 solvent exemptions of 268.30(a)(1)-(4) are prohibited from land disposal	34,50	268.30(b)	268.30(b)	X			
land disposal of F001-F005 solvent wastes that are contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action prohibited after November 8, 1990; permitted disposal in landfill or surface impoundment unit in compliance with 268.5(h)(2) prior to November 8, 1990	50	268.30(c)	268.30(c)	X			
48 situations where 268.30(a), (b) and (c) do not apply:	34,50	268.30(d)	268.30(d)	X			
48 wastes treated to meet Subpart D of Part 268	34,50	268.30(d)(1)	268.30(d)(1)	X			
48 disposal at facility with successful no-migration petition	34,50	268.30(d)(2)	268.30(d)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
48 wastes and units for which case-by-case extensions have been granted	34,50	268.30(d)(3)	268.30(d)(3)	X			
WASTE SPECIFIC PROHIBITIONS - DIOXIN-CONTAINING WASTES							
9 effective November 8, 1988, the dioxin-containing wastes, F020-F023 and F026-F028, are prohibited from land disposal unless a specific condition applies:	34,50	268.31(a)	268.31(a)	X			
these wastes are contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	50	268.31(a)(1)	268.31(a)(1)	X			
prohibit land disposal of F020-F023 and F026-F028 dioxin-containing wastes of 268.31(a)(1) effective November 8, 1990	50	268.31(b)	268.31(b)	X			
9 between November 8, 1988, and November 8, 1990, wastes of 268.31(a)(1) disposed in landfill or surface impoundment must meet 268.5(h)(2) and applicable 264 and 265 requirements	34,50	268.31(c)	268.31(c)	X			
9,49 situations where 268.31(a) and (b) do not apply	34,50	268.31(d)	268.31(d)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
9,49 wastes treated to meet Subpart D, Part 268 standards	34,50	268.31(d)(1)	268.31(d)(1)	X			
9,49 disposal at facility with successful no-migration petition	34,50	268.31(d)(2)	268.31(d)(2)	X			
9,49 extension to effective date of a prohibition	34,50	268.31(d)(3)	268.31(d)(3)	X			

WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES

prohibitions effective July 8, 1987, except in injection wells:	39	268.32(a)	268.32(a)	X			
liquids having pH less than or equal to 2.0	39	268.32(a)(1)	268.32(a)(1)	X			
liquids containing PCBs greater than or equal to 50 ppm	39	268.32(a)(2)	268.32(a)(2)	X			
liquids containing HOCs greater than or equal to 1,000 mg/l and less than 10,000 mg/l	39	268.32(a)(3)	268.32(a)(3)	X			
reserved	39	268.32(b)	268.32(b)	X			
reserved	39	268.32(c)	268.32(c)	X			
268.32(a) and (e) requirements do not apply until specific calendar dates:	39,50	268.32(d)	268.32(d)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROA IN SC
July 8, 1989 for contaminated soil or debris <u>not</u> resulting from a 104 or 106 CERCLA response or a RCRA corrective action; disposal allowed between July 8, 1987, and July 8, 1989, in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(1)	268.32(d)(1)	X			
November 8, 1990 for contaminated soil or debris resulting from a CERCLA 104 or 106 response or a RCRA corrective action; disposal between November 8, 1988, and November 8, 1990, permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	50	268.32(d)(2)	268.32(d)(2)	X			
land disposal prohibitions effective November 8, 1988:	39,50	268.32(e)	268.32(e)	X			
50 liquids containing HOCs greater than or equal to 1,000 mg/l and not prohibited under 268.32(a)(3)	39	268.32(e)(1)	268.32(e)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
nonliquid wastes containing HOCs greater than or equal to 1,000 mg/kg and not wastes described in 268.32(d)	39,50	268.32(e)(2)	268.32(e)(2)	X			
between July 8, 1987, and November 8, 1988, 268.32(e)(1) and (e)(2) wastes may be disposed of in a landfill or surface impoundment if disposal complies with 268.5(h)(2)	39,50,66	268.32(f)	268.32(f)	X			
requirements of 268.32(a), (d) and (e) do not apply under certain conditions:	39,50	268.32(g)	268.32(g)	X			
granted a 268.6 exemption	39	268.32(g)(1)	268.32(g)(1)	X			
granted a 268.5 exemption	39	268.32(g)(2)	268.32(g)(2)	X			
in compliance with Subpart D standards, or, where standard not specified, with RCRA 3004(d) or 268.32 prohibitions	39	268.32(g)(3)	268.32(g)(3)	X			
requirements of 268.32(a)(3), (d) and (e) do not apply when subject to Part 268, Subpart C prohibition	39,50	268.32(h)	268.32(h)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
1 method 9095 required	39	268.32(i)	268.32(i)	X			
applicability of waste analysis/recordkeeping requirements of 268.7:	39	268.32(j)	268.32(j)	X			
initial generator must use 261.22(a)(1) procedures or knowledge of pH; pH less than or equal to 2.0 restriction	39	268.32(j)(1)	268.32(j)(1)	X			
initial generator must test for or have knowledge of HOC or PCB concentration levels; restriction above levels	39	268.32(j)(2)	268.32(j)(2)	X			

WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES

specific wastes prohibited from land disposal effective August 8, 1988	50,66	268.33(a)	268.33(a)	X			
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	50	268.33(a)(1)	268.33(a)(1)	X			
K071 prohibited from land disposal effective August 8, 1990	50,83	268.33(b)	268.33(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, Subpart D based on incineration and which are contaminated soil and debris	50	268.33(c)	268.33(c)	X			
between November 8, 1988, and August 8, 1990, landfill or surface impoundment disposal of wastes included under 268(b) & (c) permitted if unit is in compliance with 268.5(h)(2)	50	268.33(d)	268.33(d)	X			
requirements of 268(a)-(d) do not apply if:	50	268.33(e)	268.33(e)	X			
waste meets applicable 268, Subpart D standards	50	268.33(e)(1)	268.33(e)(1)	X			
granted an exemption from prohibition for wastes and units under 268.6	50	268.33(e)(2)	268.33(e)(2)	X			
granted an extension to an effective date for wastes under 268.5*	50	268.33(e)(3)	268.33(e)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards have not been promulgated (other than 268.32 or RCRA 3004(d) prohibitions) unless a demonstration and certification have been submitted	50,66	268.33(f)	268.33(f)	X			
for a waste listed in 268.10, initial generator testing to determine if 268.41 and 268.43 treatment standards are exceeded; prohibition from land disposal if exceed standards	50,66	268.33(g)	268.33(g)	X			
WASTE SPECIFIC PROHIBITIONS - SECOND THIRD WASTES							
effective June 8, 1989, prohibition from land disposal of specific 261.31, 261.32 and 261.33 wastes	63	268.34(a)	268.34(a)	X			
effective June 8, 1989, prohibition from land disposal, except underground injection pursuant to 148.14(f) and 148.15(d), of certain 261.32 wastes	63	268.34(b)	268.34(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective June 8, 1989, prohibition from land disposal of F006, F008, F009, F011 and F012	63	268.34(c)	268.34(c)	X			
effective July 8, 1989, F007 prohibited from land disposal except underground injection pursuant to 148.14(f)	63	268.34(c)(1)	268.34(c)(1)	X			
July 8, 1989, until December 8, 1989, F011 and F012 non-wastewaters prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F007, F008 and F009 non-wastewaters; effective December 8, 1989, F011 and F012 prohibited from land disposal pursuant to 268.41 and 268.43 treatment standards for F011 and F012 nonwastewaters	63	268.34(c)(2)	268.34(c)(2)	X			
effective June 8, 1991, wastes specified in 268.34 with Part 268, Subpart D treatment standard based on incineration, and which are contaminated soil and debris, are prohibited from land disposal	63	268.34(d)	268.34(d)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
requirements for landfill or surface impoundment disposal of wastes included in 268.34(c) and (d) between June 8, 1989, and June 8, 1991; applies to F007, F008, F009, F011, and F012 only between June 8, 1989, and July 8, 1989	63	268.34(e)	268.34(e)	X			
requirements of 268.34(a)-(d) do not apply if:	63	268.34(f)	268.34(f)	X			
meet applicable 268 Subpart D standards	63	268.34(f)(1)	268.34(f)(1)	X			
granted an exemption pursuant to a 268.6 petition for the wastes and units covered by the petition	63	268.34(f)(2)	268.34(f)(2)	X			
268.34(a), (b) and (c) do not apply if granted extension under 268.5 for wastes covered by extension	63	268.34(g)	268.34(g)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
between June 8, 1989, and May 8, 1990, prohibition from land disposal in landfills or surface impoundments of 268.11 wastes for which Subpart D treatment standards are not applicable, including California list wastes subject to prohibitions under RCRA 3004(d) or 268.32; exceptions under 268.8	63	268.34(h)	268.34(h)	X			
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D level	63	268.34(i)	268.34(i)	X			
WASTE SPECIFIC PROHIBITIONS - THIRD THIRD WASTES							
effective August 8, 1990, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f) as listed in 268.35(a)	78.83	268.35(a)	268.35(a)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective November 8, 1990, prohibition from land disposal of certain wastes specified in 261.32	78	268.35(b)	268.35(b)	X			
effective May 8, 1992, prohibition from land disposal of certain wastes specified in 261.31, 261.32, 261.33(e) and 261.33(f); certain characteristic wastes; and RCRA hazardous wastes containing naturally occurring radioactive materials	78,83, 106,116	268.35(c)	268.35(c)	X			
effective May 8, 1992, 268.10, 268.11 and 268.12 mixed radioactive/hazardous wastes are prohibited from land disposal	78,83, 116	268.35(d)	268.35(d)	X			
subject to applicable prohibitions in §§ 268.30, 268.31 and 268.32, contaminated soil and debris are prohibited from land disposal as follows:	116	268.35(e)	268.35(e)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
51 effective May 8, 1994, prohibition from land disposal of debris contaminated with 268.12 wastes and debris contaminated with any characteristic waste having Subpart D, Part 268 treatment standards	78,83, 103,116, 123	268.35(e)(1)	268.35(e)(1)	X			
52 effective May 8, 1994, mixed radioactive hazardous debris contaminated with 268.12 wastes and mixed radioactive hazardous debris contaminated with any characteristic waste for which Subpart D treatment standards are established are prohibited from land disposal	123	268.35(e)(2)	268.35(e)(2)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
268.35(e)(1)&(2) do not apply where generator has failed to make good-faith effort to locate suitable treatment capacity, has not utilized such capacity as it has found to be available, or has failed to file a report under 268.5(g), by August 12, 1993 or within 90 days after hazardous waste is generated, describing generator's efforts to locate treatment capacity; where 268.35(e)(1)&(2) do not apply, all wastes described in 268.35(e)(1)&(2) are prohibited from land disposal effective May 8, 1993	123	268.35(e)(3)	268.35(e)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
52 effective May 8, 1993, hazardous soil contaminated with wastes specified in this section having treatment standards in 268 Subpart D based on incineration, mercury retorting or vitrification, and soils contaminated with hazardous wastes listed in 40 CFR 268.10, 268.11 and 268.12 that are mixed radioactive hazardous wastes are prohibited from land disposal	116,123	268.35(e)(4)	268.35(e)(4)	X			
when used in 268.35(e)(1)&(2), debris defined as:	123	268.35(e)(5)	268.35(e)(5)	X			
as defined in 268.2(g)	123	268.35(e)(5)(i)	268.35(e)(5)(i)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
nonfriable inorganic solids that are incapable of passing through a 9.5 mm standard sieve that require cutting, or crushing and grinding in mechanical sizing equipment prior to stabilization, limited to the inorganic or metal materials specified in 268.35(e)(5)(ii)(A)-(H)	123	268.35(e)(5)(ii)	268.35(e)(5)(ii)	X			
		268.35(e)(5)(ii)(A)	268.35(e)(5)(ii)(A)	X			
		268.35(e)(5)(ii)(B)	268.35(e)(5)(ii)(B)	X			
		268.35(e)(5)(ii)(C)	268.35(e)(5)(ii)(C)	X			
		268.35(e)(5)(ii)(D)	268.35(e)(5)(ii)(D)	X			
		268.35(e)(5)(ii)(E)	268.35(e)(5)(ii)(E)	X			
		268.35(e)(5)(ii)(F)	268.35(e)(5)(ii)(F)	X			
		268.35(e)(5)(ii)(G)	268.35(e)(5)(ii)(G)	X			
		268.35(e)(5)(ii)(H)	268.35(e)(5)(ii)(H)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
between May 8, 1990, and August 8, 1990, wastes included in paragraph 268.35(a) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(f)	268.35(f)	X			
between May 8, 1990, and November 8, 1990, wastes included in paragraph 268.35(b) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(g)	268.35(g)	X			
between May 8, 1990, and May 8, 1992, wastes included in paragraphs 268.35(c), (d) and (e) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with 268.5(h)(2)	78	268.35(h)	268.35(h)	X			
conditions under which requirements of paragraphs 268.35(a), (b), (c), (d) and (e) do not apply:	78	268.35(i)	268.35(i)	X			
wastes meet applicable Part 268, Subpart D standards	78	268.35(i)(1)	268.35(i)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
persons granted exemption under 268.6	78	268.35(i)(2)	268.35(i)(2)	X			
wastes meet applicable alternate standards under 268.44	78	268.35(i)(3)	268.35(i)(3)	X			
persons granted extension to the effective date of a prohibition under 268.5	78	268.35(i)(4)	268.35(i)(4)	X			
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 and 268.43 treatment standards; land disposal prohibited and all 268 requirements apply if constituents exceed Part 268, Subpart D levels	78	268.35(j)	268.35(j)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective May 8, 1993, prohibition from land disposal of D008 lead materials stored before secondary smelting; submission of binding contractual commitment, documentation and detailed schedule for specified construction, and providing specified capacity, by March 1, 1993; D008 prohibited from land disposal by failure to submit documentation; placed in facility record by July 27, 1992, documentation demonstrating that such management capacity will be adequate and complies with all applicable Subtitle C requirements	106	268.35(k)	268.35(k)	X			
WASTE SPECIFIC PROHIBITIONS - NEWLY LISTED WASTES							
effective November 9, 1992, K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126, K131, K132, K136, U328, U353 and U359 prohibited from land disposal	109	268.36(a)	268.36(a)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective June 30, 1993, F037 and F038 not generated from surface impoundment cleanouts or closures are prohibited from land disposal	109	268.36(b)	268.36(b)	X			
effective June 30, 1994, F037 and F038 generated from surface impoundment cleanout or closures are prohibited from land disposal	109	268.36(c)	268.36(c)	X			
effective June 30, 1994, radioactive wastes mixed with specified wastes are prohibited from land disposal	109	268.36(d)	268.36(d)	X			
effective June 30, 1994, debris contaminated with specified wastes and not contaminated with other prohibited waste are prohibited from land disposal	109	268.36(e)	268.36(e)	X			
under what circumstances 268.36(b) wastes may be disposed in a landfill or generated and disposed in a surface impoundment	109	268.36(f)	268.36(f)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
under what circumstances 268.36(d) and (e) wastes may be disposed in a landfill or generated and disposed in a surface impoundment	109	268.36(g)	268.36(g)	X			
under what circumstances 268.36 (a)-(e) do not apply	109	268.36(h)	268.36(h)	X			
		268.36(h)(1)	268.36(h)(1)	X			
		268.36(h)(2)	268.36(h)(2)	X			
		268.36(h)(3)	268.36(h)(3)	X			
		268.36(h)(4)	268.36(h)(4)	X			
how to determine whether a 268.36 waste exceeds a 268.41 or 268.43 treatment standard; waste prohibited and all Part 268 requirements apply if constituents in excess of applicable levels	109	268.36(i)	268.36(i)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
WASTE SPECIFIC PROHIBITIONS--IGNITABLE AND CORROSIVE CHARACTERISTIC WASTES WHOSE TREATMENT STANDARDS WERE VACATED							
effective August 9, 1993, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems other than those whose discharge is regulated under the CWA or that inject in Class I deep wells regulated under the SDWA or are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal; CWA-equivalent treatment defined	124	268.37(a)	268.37(a)	X			

**CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective February 10, 1994, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems defined in 40 CFR 144.6(e) and 146.6(e) as Class V injection wells that do not engage in CWA-equivalent treatment before injection are prohibited from land disposal	124	268.37(b)	268.37(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

restricted waste under 268.41 may be land disposed if extract of waste or treatment residue, developed using 261 Appendix II methods, does not exceed 268.41 Table CCWE values; exceptions; specific wastes may be land disposed if extract or treatment residue developed as specified does not exceed Table CCWE values for any hazardous constituent in Table CCWE for waste	34, †39,50, 78,83	268.40(a)	268.40(a)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
restricted waste with a 268.42 treatment technology, or hazardous debris with 268.45 treatment technology, may be land disposed if specified technology or an Administrator-approved method is used; for wastes displaying characteristic of ignitability and reactivity that are diluted to meet deactivation treatment standard in 268.42(a) Tables 1 & 2, the treater must comply with precautionary measures specified in 264.17(b) and 265.17(b)	39,109, 124	268.40(b)	268.40(b)	X			
except as specified in 268.43(c), restricted waste identified in 268.43 may be land disposed only if Table CCW constituent concentration values are not exceeded	50,78	268.40(c)	268.40(c)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if 268.41 through 268.48 treatment standard established and waste is a hazardous debris, then waste subject to those standards rather than the 268.45 hazardous debris standards	109	268.40(d)	268.40(d)	X			
TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT							
53 treatment standards; explanation of Table CCWE	34,50, 63,78, 102,109	268.41(a)	268.41(a)	X			
Constituent Concentrations in Waste Extract	34,50,63, 78,83, 95,109,1 24	268.41(a)/Table CCWE	268.41(a)/ Table CCWE	X			
treatment standards for common constituents in combined wastes; mixtures of high and low zinc nonwastewater K061 subject to treatment standard for high zinc K061	34,95	268.41(b)	268.41(b)	X			
treatment standards for constituents in F001-F005 listed in Table CCWE	109	268.41(c)	268.41(c)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES							
treatment of wastes identified in 268.42(a)(1)&(2) and Tables 2 and 3 with technology(ies) specified in 268.42(a)(1)&(2) and in Table 1 of 268.42	34,78	268.42(a)	268.42(a)	X			
standard for incineration of liquid hazardous wastes containing PCBs	39	268.42(a)(1)	268.42(a)(1)	X			
standard for incineration of certain nonliquid hazardous wastes containing HOCs; where standards do not apply	39,50,78,83	268.42(a)(2)	268.42(a)(2)	X			
mixture of wastewater (discharge of which is subject to Clean Water Act) and <i>de minimis</i> losses of materials that meet the criteria of D001 ignitable liquids with greater than 10% TOC is subject to Table 1 DEACT treatment standard; <i>de minimis</i> defined	63,78,83	268.42(a)(3)	268.42(a)(3)	X			
removed	63,78	268.42(a)(4)	268.42(a)(4)	X			
Technology Codes and Description of Technology-Based Standards	78,83	268.42(a)/Table 1	268.42(a)/Table 1	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Technology-Based Standards by RCRA Waste Code	78,83,95, 102,109, 124	268.42(a)/Table 2	268.42(a)/ Table 2	X			
Technology-Based Standards for Specific Radioactive Hazardous Mixed Waste	78,83	268.42(a)/ Table 3	268.42(a)/ Table 3	X			

Guidance note: 268.42(b) is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

submit application to Administrator demonstrating alternate treatment can achieve 268.42(a), (c), & (d) performance specifications for wastes or 268.45 Table 1 specifications for hazardous debris; information demonstrating compliance with Federal, State and local requirements; criteria for approval by Administrator; approval in writing containing provisions and conditions as the Administrator deems appropriate; compliance by person to whom approval is issued	34,39, 78,109	268.42(b)	268.42(b)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Alternate Treatment Standards for Lab Packs							
conditions for eligibility of lab packs for land disposal:	78	268.42(c)	268.42(c)	X			
compliance of lab packs with applicable provisions of 264.316 and 265.316	78	268.42(c)(1)	268.42(c)(1)	X			
Part 268 Appendix IV and Appendix V hazardous wastes contained in lab packs	78	268.42(c)(2)	268.42(c)(2)	X			
incineration of lab packs in accordance with Part 264, Subpart O and Part 265, Subpart O requirements	78	268.42(c)(3)	268.42(c)(3)	X			
treatment standards for incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010 and D011	78	268.42(c)(4)	268.42(c)(4)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
56 radioactive hazardous mixed wastes with 268.42 Table 3 treatment standards not subject to 268.41 or 268.42 Table 2 or 268.43 treatment standards; radioactive hazardous mixed wastes not subject to Table 3 treatment standards remain subject to 268.41, 268.43 and Table 2 treatment standards; hazardous debris containing radioactive waste subject to 268.45 treatment standards	78,109	268.42(d)	268.42(d)	X			
TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS							
introductory paragraph for Table CCW explaining table	34,50, 63,78	268.43(a)	268.43(a)	X			
57 Constituent Concentrations in Wastes; no land disposal for specified K wastes	50,62, 63,78, 83,109, 124	268.43(a)/Table CCW	268.43(a)/Table CCW	X			
58 meet lowest constituent treatment standard when mixing wastes with differing treatment standards for a constituent of concern	50,63	268.43(b)	268.43(b)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
conditions for demonstrating compliance with treatment standards for organic constituents provided:	78,83	268.43(c)	268.43(c)	X			
treatment standards for organic constituents established based on incineration in units operated in accordance with Subpart O requirements of Part 264 or Part 265 or based on combustion in fuel substitution units in accordance with applicable technical requirements	78,83	268.43(c)(1)	268.43(c)(1)	X			
organic constituents treated using paragraph 268.43(c)(1) methods	78,83	268.43(c)(2)	268.43(c)(2)	X			
good-faith efforts fail to detect the organic constituents; when such efforts must be demonstrated	78,83	268.43(c)(3)	268.43(c)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Guidance note: 268.44 is **NOT DELEGABLE**. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

59 VARIANCE FROM A TREATMENT STANDARD

conditions for variance; petition Administrator; what must be demonstrated	34	268.44(a)	268.44(a)	X			
procedures in accordance with 260.20	34	268.44(b)	268.44(b)	X			
statement signed by petitioner or authorized representative	34	268.44(c)	268.44(c)	X			
additional information or samples may be requested by Administrator; additional copies for affected States and region	34	268.44(d)	268.44(d)	X			
Administrator gives public notification in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34	268.44(e)	268.44(e)	X			
268.7 waste analysis requirements must be followed for wastes covered by variance	34	268.44(f)	268.44(f)	X			
requirements during petition review	34	268.44(g)	268.44(g)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
apply to Administrator or delegated representative for site-specific variance from a treatment standard if specified conditions are appropriate; what applicant must demonstrate	50,66	268.44(h)	268.44(h)	X			
260.20(b)(1)-(4) information must be included	50	268.44(i)	268.44(i)	X			
Assistant Administrator or delegated representative may request additional information	50	268.44(j)	268.44(j)	X			
if site-specific treatment standard variance then compliance with 268.7 waste analysis requirements	50	268.44(k)	268.44(k)	X			
during application review process, compliance with land disposal restrictions once effective date for waste reached	50	268.44(l)	268.44(l)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
TREATMENT STANDARDS FOR HAZARDOUS DEBRIS							
treatment of hazardous debris prior to land disposal as specified unless EPA determines under 261.3(e)(2) that debris is no longer contaminated with hazardous waste	109	268.45(a)	268.45(a)	X			
general; treatment for each 268.45(b) contaminant subject to treatment in accordance with 268.45, Table 1	109	268.45(a)(1)	268.45(a)(1)	X			
characteristic debris; deactivation as specified in 268.45, Table 1	109	268.45(a)(2)	268.45(a)(2)	X			
mixtures of debris types; standards for each debris type must be achieved; if applicable, immobilization must be used last	109	268.45(a)(3)	268.45(a)(3)	X			
mixtures of 268.45(b) contaminant types; 268.45, Table 1 treatment for each contaminant must be used; if applicable, immobilization must be used last	109	268.45(a)(4)	268.45(a)(4)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
waste PCBs; hazardous debris subject to both 40 CFR 761 and 268.45 must meet more stringent requirements	109	268.45(a)(5)	268.45(a)(5)	X			
hazardous debris treated for each "contaminant subject to treatment," determined as follows:	109	268.45(b)	268.45(b)	X			
toxicity characteristic debris; those EP constituents for which debris exhibits a toxicity characteristic	109	268.45(b)(1)	268.45(b)(1)	X			
debris contaminated with listed waste; constituents for which BDAT standards are established for wastes under 268.41 and 268.43	109	268.45(b)(2)	268.45(b)(2)	X			
cyanide reactive debris; reactive because of cyanide must be treated for cyanide	109	268.45(b)(3)	268.45(b)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
when hazardous debris that has been treated is not considered a hazardous waste; hazardous debris contaminated with a listed waste that is treated by a Table 1 immobilization technology must be managed in a Subtitle C facility	109	268.45(c)	268.45(c)	X			
general requirements for treatment residues:	109	268.45(d)(1)	268.45(d)(1)	X			
separate residue from debris by simple physical or mechanical means;	109	268.45(d)(1)(i)	268.45(d)(1)(i)	X			
residue is subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(1)(ii)	268.45(d)(1)(ii)	X			
residue from nontoxic debris, as specified, must be deactivated; not subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(2)	268.45(d)(2)	X			
residue from cyanide-reactive debris must meet 268.43, D003 standards	109	268.45(d)(3)	268.45(d)(3)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ignitable nonwastewater residue, as specified, must meet technology- based "D001 Ignitable Liquids" standard	109	268.45(d)(4)	268.45(d)(4)	X			
layers of debris removed by spalling remain subject to 268.45 treatment standards	109	268.45(d)(5)	268.45(d)(5)	X			
alternative treatment standards for hazardous debris	109	268.45/Table 1	268.45/Table 1	X			

ALTERNATIVE TREATMENT STANDARDS BASED ON HTMR

Table 1 identifies alternative treatment standards for F006 and K062 nonwastewaters	109	268.46	268.46	X			
alternative treatment standards as shown at 57 FR 37281	109	268.46/Table 1	268.46/Table 1	X			

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

9 except as provided in 268.50, storage of wastes restricted from land disposal is prohibited unless certain conditions are met:	34,39	268.50(a)	268.50(a)	X			
9 on-site storage exemption for generator	34,109	268.50(a)(1)	268.50(a)(1)	X			

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
9 treatment, storage, and disposal facility exemption	34,109	268.50(a)(2)	268.50(a)(2)	X			
9 container labeling	34	268.50(a)(2)(i)	268.50(a)(2)(i)	X			
9 tank labeling	34	268.50(a)(2)(ii)	268.50(a)(2) (ii)	X			
9 transporter exemption	34	268.50(a)(3)	268.50(a)(3)	X			
storage up to one year	34	268.50(b)	268.50(b)	X			
storage longer than one year	34	268.50(c)	268.50(c)	X			
9 268.50(a) prohibition does not apply if waste is exempt from a prohibition on the type of land disposal utilized for the waste	34,50,66	268.50(d)	268.50(d)	X			
no prohibition where treatment standards are not specified or are met, or compliance with 268.32 or RCRA 3004 exists	34,†39	268.50(e)	268.50(e)	X			
requirements for storage of liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm	39	268.50(f)	268.50(f)	X			

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

9,60 TCLP is published in Appendix II of Part 261	34,74	Appendix I	Appendix I	X			
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APPENDIX II TO PART 268

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

TREATMENT STANDARDS (AS CONCENTRATIONS IN THE TREATMENT RESIDUAL EXTRACT)

61 F001-F005 spent solvent waste treatment standards appear in 268.41, 268.42 and 268.43

34,109

Appendix II

Appendix II

X

APPENDIX III TO PART 268

LIST OF HALOGENATED ORGANIC COMPOUNDS REGULATED UNDER 268.32

HOC definition and list of HOCs regulated under 268.32

39

Appendix III

Appendix III

X

APPENDIX IV TO PART 268

†,11 **ORGANOMETALLIC LAB PACKS**

list of hazardous wastes that may be placed in "organometallic" or "Appendix IV lab packs"

78,83

Appendix IV

Appendix IV

X

APPENDIX V TO PART 268

†,11 **ORGANIC LAB PACKS**

list of hazardous wastes that may be placed in "organic" or "Appendix V lab packs"

78,83

Appendix V

Appendix V

X

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

list of technologies which achieve the standard of "deactivation to remove characteristics of ignitability, corrosivity, and reactivity"; use of specified technologies not mandatory; alternative methods not performed in land disposal units	78	Appendix VI	Appendix VI	X			
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APPENDIX VII TO PART 268

EFFECTIVE DATES OF SURFACE DISPOSED WASTES REGULATED IN THE LDRs

comprehensive list of wastes and effective dates	78,83	Appendix VII	Appendix VII	X			
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APPENDIX VIII TO PART 268

NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

comprehensive list of national capacity LDR variances for UIC wastes	78,83	Appendix VIII	Appendix VIII	X			
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APPENDIX IX TO PART 268

EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST (SW-846, METHOD 1310A)

interim method to determine whether a waste exhibits the characteristic of EP Toxicity	83	Appendix IX	Appendix IX	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART A OF THE PERMIT APPLICATION

add new paragraph regarding hazardous debris; description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility	109	270.13(n)	122.13(n)	X			
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CONTENTS OF PART B: GENERAL REQUIREMENTS

insert "and hazardous debris" after "hazardous waste"; insert "of this chapter" after "part 264"	109	270.14(b)(2)	122.14(b)(2)	X			
add new paragraph; copy of notice of approval of petition or extension	34	270.14(b)(21)	122.14(b)(21)	X			

SUBPART C - PERMIT CONDITIONS

ESTABLISHING PERMIT CONDITIONS

insert "through 268"; remove "267"	34	270.32(b)(1)	122.32(b)(1)	X			
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CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION-	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART D - CHANGES TO PERMIT

62 PERMIT MODIFICATIONS AT THE REQUEST OF THE PERMITTEE

replace "of restricted wastes" with ", or in containment buildings"	109	270.42(e)(3)(ii)(B)	270.42(e)(3)(ii)(B)	X			
Not applicable--see comment below	34,†39	270.42(o)-(p)	NA				

Comment regarding 270.42(o)-(p): Delaware has adopted Checklist 54. Thus, 270.42(o)-270.42(p) cited below are not applicable.

APPENDIX I TO SECTION 270.42

63 CLASSIFICATION OF PERMIT MODIFICATION

64, 65	redesignate old B(1)(b) as B(1)(c); add new item involving F039 under "General Facility Standards"; add a footnote symbol to the Class I designation at B(1)(b); remove second occurrence of B(1)(b)	78,83, 124	270.42 Appendix I, B(1)(b)	122.42 Appendix I, B(1)(b)	X		
64, 66	redesignate old B(1)(c) as B(1)(d), old B(1)(b) becomes B(1)(c); add new item involving underlying hazardous constituents under "General Facility Standards"	78,124	270.42 Appendix I, B(1)(c)	122.42 Appendix I, B(1)(c)	X		
66	old B(1)(c) becomes B(1)(d)	124	270.42 Appendix I, B(1)(d)	122.42 Appendix I, B(1)(d)	X		
	add entry 6 to section I	109	270.42 Appendix I, I(6)	122.42 Appendix I, I(6)	X		

CONSOLIDATED CHECKLIST: Land Disposal Restrictions
as of June 30, 1993 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new section M	109	270.42 Appendix I, M	270.42 Appendix I, M	X			

SUBPART G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

remove "or" before "containers" and insert "or containment buildings" after "containers"; in two places, insert "of this chapter" after "Part 268"	109	270.72(b)(6)	122.72(b)(6)	X			
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67 no reconstruction; changes do not include tank/container changes to comply with land disposal restrictions	39	270.72(e)	NA - See Revision Checklist 61				
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- 1 See the amendment to the rule addressed by Revision Checklist 39 at 52 FR 41295 (October 27, 1987), included on Revision Checklist 39.
- 2 Paragraph 260.11(a) is also affected by Revision Checklist 67 (54 FR 40260, September 29, 1989) and Revision Checklist 73 (55 FR 8948, March 9, 1990).
- 3 The original 261.3(c)(ii)(C) was introduced by Revision Checklist 95. Revision Checklist 109 split the paragraph into two subparagraphs, (C)(1)&(2), and completely revised the text.
- 4 Paragraph 261.5(f)(2) is also affected by Revision Checklist 47 (53 FR 27162, July 19, 1988).
- 5 Note that the "TC Rule," Revision Checklist 74 (55 FR 11798, March 29, 1990), has also made changes to 261.24(b).
- 6 Paragraph 261.33(c) is also affected by Revision Checklist 41 (52 FR 26012, July 10, 1987).
- 7 This revision fixes an error in the July 1, 1991 CFR which makes it appear that there are two paragraphs designated as 262.34(a)(2) (see the editorial note in the CFR). Revision Checklist 82 originally inserted the first 262.34(a)(2), 262.34(a)(2)(i), and 262.34(a)(2)(ii) and redesignated the

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old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92 redesignated 262.34(a)(3) as 262.34(a)(2), effectively removing the first 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&(B) and at 262.34(a)(2) as is indicated in the July 1, 1991 CFR. The first 262.34(a)(2) in that CFR should not be in the code. Revision Checklist 92 also redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), i.e., returned these subparagraphs to their original numbering prior to the redesignation by Revision Checklist 82. The revision, which is part of Revision Checklist 109, removes the first 262.34(a)(2), returning the code to what was intended by Revision Checklist 92.

- 8 Note that the final rule for Revision Checklist 39 (52 FR 25787) gives Subpart E, 262.51 as the citation for the section titled "Farmers." This is not correct as the August 8, 1986 (51 FR 28664, Revision Checklist 31) final rule regarding exports changed this section and moved it to Subpart G, 262.70. This error in the final rule was detected when Revision Checklist 39 was developed, and the proper citation (262.70) was used on that checklist. This error was ultimately corrected at 53 FR 27164 (July 19, 1988; Revision Checklist 48).
- 9 See the technical correction to the rule addressed by Revision Checklist 34 at 52 FR 21010 (June 4, 1987, included on Revision Checklist 34).
- 10 Subparagraphs 264.13(a)(1) and 265.13(a)(1) are also affected by Revision Checklist 64 (54 FR 33376, August 14, 1989).
- 11 This code is part of the optional requirements for the alternate treatment standards for lab packs under the Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V art 268) related to these alternate treatment standards must be adopted.
- 12 Revision Checklist 109 [57 FR 37194 (August 18, 1992)] added these subparts to Parts 264 and 265.
- 13 Note that there is an error in the Federal Register; the deadline for the written notice should be February 18, 1993, rather than November 16, 1992 as it appears in the Federal Register, in keeping with the effective date of these provisions, with the preamble to the rule at 57 FR 37215 (second full paragraph in the right-hand column), and with the similar provision under 265.1101(b)(4)(i).
- 14 Note that there is a typographical error in the Federal Register; "lead" should be "led."
- 15 Note that the Federal Register for this rule introduces an error into the second-to-last sentence of this subparagraph by inserting an extraneous "with" between "§§" and "265.111."

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- 16 Note, there is an error in the Federal Register article for this rule. The phrase "as needed to permit" should read "as needed to prevent."
- 17 A new subparagraph was introduced into the code by Revision Checklist 78. The original subparagraph 268.1(c)(3) was introduced by Revision Checklist 34, modified by Checklist 39, then removed by Revision Checklist 50, with 268.1(c)(4) redesignated as (c)(3). The redesignated subparagraph 268.1(c)(3) was subsequently removed by Revision Checklist 66.
- 18 Subparagraph 268.1(c)(4) originated in Revision Checklist 34, was modified by Revision Checklist 39, redesignated as 268.1(c)(3) while the original 268.1(c)(5) was redesignated as 268.1(c)(4) by Revision Checklist 50, and finally removed by Revision Checklist 66.
- 19 Subparagraph 268.1(c)(5) originated in Revision Checklist 39 and was revised by Revision Checklist 48. This text was redesignated as 268.1(c)(4), and new 268.1(c)(5) text was introduced by Revision Checklist 50. This subparagraph was finally removed by Revision Checklist 78.
- 20 There is a typographical error in the title of this section as printed in 58 FR 29860 (May 24, 1993; Revision Checklist 124); "scope/and" should be "scope and." States should retain the correct title as it appears in the CFR.
- 21 These definitions were introduced into the code as part of 268.2(a) by Revision Checklist 34. Revision Checklist 78 designated them as individual paragraphs 268.2(b) and (c). The text of the old 268.2(b), introduced into the code by Revision Checklist 34, was deleted from the section by Revision Checklist 78.
- 22 Paragraph 268.2(c) is also affected by Revision Checklist 121 (58 FR 8658; February 16, 1993).
- 23 This definition was introduced into the code as part of 268.2(a) by Revision Checklist 39. Revision Checklist 78 designated it as an individual paragraph 268.2(e).
- 24 Subparagraphs 268.2(g)(1) through (8) were introduced into the code by Revision Checklist 78, modified by Revision Checklist 83, and removed by Revision Checklist 109.
- 25 This subparagraph was originally 268.3 when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.3(a) by Revision Checklist 78.
- 26 Revision Checklist 109 redesignated the old 268.5(h)(2)(v) as 268.5(h)(2)(vi) and added a new 268.5(h)(2)(v).
- 27 268.6(c) was originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(c) as 268.6(d) and inserted a new 268.6(c).

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- 28 The original 268.6(d) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that paragraph as 268.6(g). That same checklist redesignated 268.6(c) as 268.6(d).
- 29 268.6(e) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(e) as 268.6(h) and inserted a new 268.6(e).
- 30 268.6(f) was introduced by Revision Checklist 34. Revision Checklist 50 redesignated that 268.6(f) as 268.6(i) and inserted a new 268.6(f).
- 31 268.6(d)-(j) were originally introduced by Revision Checklist 34. Revision Checklist 50 redesignated these paragraphs as 268.6(g)-(m).
- 32 268.6(k) was originally introduced by Revision Checklist 39. Revision Checklist 50 redesignated it as 268.6(n).
- 33 There is a typographical error in 58 FR 29860 (May 24, 1993; Revision Checklist 124) which revised 268.7(a)(1)(ii) & 268.7(b)(4)(ii); "reactive cyanides" should appear in italic type as it does in the CFR.
- 34 Revision Checklist 109 redesignated the old 268.7(a)(1)(iv) as 268.7(a)(1)(v) and added a new 268.7(a)(1)(iv). Note that there is a typographical error in the Federal Register rule for Revision Checklist 109. The instructions preceding the change to 268.7 (on page 57 FR 37270) incorrectly say that 268.7(a)(1)(v) is added; however, the change shown is that a new 268.7(a)(1)(iv) is added, as described in this footnote.
- 35 Note that the rule addressed by Revision Checklist 78 (55 FR 22520) makes it appear as if 268.7(a)(3)(iii)-(v) were removed (see page 22687). This was an error and these subparagraphs should remain in the code. Note that there is a typographical error in the Federal Register article for Revision Checklist 109. The instructions preceding 268.7 (on page 57 FR 37270) incorrectly say 268.7(a)(3)(vi) is added. It is a new 268.7(a)(3)(v) which is added and the old 268.7(a)(3)(v) is redesignated as 268.7(a)(3)(vi).
- 36 Note that there is a typographical error in the Federal Register article for Revision Checklist 109; there should be a comma, not a semicolon, after the second occurrence of "containers" in 268.7(a)(4).
- 37 Initially, subparagraphs 268.7(a)(4)(i)-(iv) were introduced into the code by Revision Checklist 50. Revision Checklist 78 completely changed the text of (a)(4)(i)-(iii) and removed (a)(4)(iv).
- 38 This subparagraph was originally 268.7(a)(4) when it was added to the code by Revision Checklist 34. However, it was redesignated as 268.7(a)(5) by Revision Checklist 50.

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- 39 268.7(a)(7) was originally 268.7(a)(6) on Revision Checklist 50. Revision Checklist 83 inserted a new 268.7(a)(6) and redesignated the old 268.7(a)(6) as 268.7(a)(7). Revision Checklist 83 also redesignated 268.7(a)(7)-(a)(9) as 268.7(a)(8)-(a)(10).
- 40 These subparagraphs were originally 268.7(b)(1) and 268.7(b)(1)(i)-(iv) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(4) and 268.7(b)(4)(i)-(iv) by Revision Checklist 50.
- 41 These subparagraphs were originally 268.7(b)(2) and 268.7(b)(2)(i)-(ii) when they were added to the code by Revision Checklist 34. However, they were redesignated as 268.7(b)(5) and 268.7(b)(5)(i)-(ii) by Revision Checklist 50.
- 42 This paragraph was originally 268.7(b)(8) when it was entered into the code by Revision Checklist 50, but it was redesignated as 268.7(b)(7) by Revision Checklist 78 because the old 268.7(b)(7) and 268.7(b)(7)(i)-(iv) were removed by Revision Checklist 78. Revision Checklist 66 corrected 268.7(b)(8) before it was redesignated by Revision Checklist 78.
- 43 The notice, certification and test requirements currently found in Federal code at 268.7(c)(1) and (c)(2) were originally addressed in paragraph 268.7(c), as introduced into the code by Revision Checklist 34. 268.7(c) was subsequently modified by Revision Checklists 39 and 50. Revision Checklist 39 added the testing requirements now found at 268.7(c)(2), although at the time, these requirements were still part of 268.7(c). It was Revision Checklist 50 that significantly revised the paragraph so that the notice and certification requirements now appear at (c)(1) and the testing requirements appear at (c)(2). The checklist reference column, then, includes all relevant checklists for 268.7(c)(1) and (c)(2) rather than just Revision Checklist 50, which primarily affected the formatting changes.
- 44 Subparagraphs 268.7(c)(3) and (c)(4), introduced into the code by Revision Checklists 50 and 66, respectively, were removed from the code by Revision Checklist 78.
- 45 An error in the September 6, 1989 rule (54 FR 36967; Revision Checklist 66) makes it appear that the revisions to 268.8(a) include the removal of 268.8(a)(4). This was not the Agency's intent and 268.8(a)(4) remains in Federal code as introduced by Revision Checklist 50.
- 46 The rest of Subpart B is not included in this checklist because it deals with the schedule with which EPA will restrict wastes from land disposal. States do not need to adopt those sections (i.e., 268.10-268.13).
- 47 The 268.30(a) introduction appeared in the final rule addressed by Revision Checklist 50, but was not changed by that rule. See Revision Checklist 50 for more information.
- 48 These subparagraphs were originally 268.30(c) and 268.30(c)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as

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268.30(d) and 268.30(d)(1)-(3) because that checklist inserted a new paragraph at 268.30(c).

- 49 These subparagraphs were originally 268.31(b) and 268.31(b)(1)-(3) when they were introduced into the code by Revision Checklist 34. However, Revision Checklist 50 redesignated them as 268.31(d) and 268.31(d)(1)-(3) because that checklist inserted a new paragraph at 268.31(b).
- 50 While this subparagraph appeared in the final rule addressed by Revision Checklist 50, this rule did not change this subparagraph. See Footnote 9, page 28 of Revision Checklist 50.
- 51 This subparagraph was originally 268.35(e) when introduced into the code by Revision Checklist 78. However, Revision Checklist 116 redesignated it as 268.35(e)(1), with some modifications, and inserted a new paragraph at 268.35(e).
- 52 The original 268.35(e)(2) was introduced by Revision Checklist 116. Revision Checklist 123 redesignated it as 268.35(e)(4) and added a new 268.35(e)(2).
- 53 Note that there are typographical errors in the Federal Register addressed by Revision Checklist 102. The change from K031 to D031 appears to be incorrect; "D031" should be "K031." There will be a technical correction in the future. Also, after "Appendix I of this part" in column 2 of page 57 FR 8089 for 268.41(a), "for the allowable" appears to have been incorrectly changed to "of the allowable."
- 54 268.42(a)(3) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph and Revision Checklist 83 added a new 268.42(a)(3).
- 55 268.42(a)(4) was introduced into the code by Revision Checklist 63. Revision Checklist 78 removed this paragraph.
- 56 The 55 FR 22520, June 1, 1990, code incorrectly states that a subparagraph 268.42(e) is added. The Federal Register did not contain a 268.42(e); it only added 268.42(d).
- 57 Note, in the Federal Register for Revision Checklist 109 (57 FR 37275), there are two different entries in Table CCW for K030. Because there isn't an entry for K043, likely the second "K030" should read "K043." Also, this Federal Register adds an entry for K111, but this is not noted in the revision instructions for the table.
- 58 While 268.43(b) appeared in the final rule addressed by Revision Checklist 63, the text of the paragraph was not changed and remains the same as that introduced by Revision Checklist 50.
- 59 Note that 268.44(o) and a table listing wastes excluded from the treatment standards under 268.43(a) were added to the CFR by 56 FR 12351, a notice granting treatability variance for facilities located in Chicago, Illinois. Due to the topic, no checklist was necessary for this notice. As such, this paragraph and table were not included in this consolidated checklist as States would

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likely not want to include it in their code, unless treatability variance was granted to a facility in that State.

- 60 As background, the TCLP was originally promulgated in 268, Appendix I, on November 7, 1986 (51 FR 40572; Revision Checklist 34) for use in the Land Disposal Restrictions (LDR) program to determine whether certain wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC rule and its June 29, 1990 modification promulgated a revised TCLP at 261, Appendix II, with modifications based on the Agency's own research and public comment. This TCLP is to be used in both the TC and the LDR programs. The objective of the above footnoted revision to 268, Appendix I, is to assure that the TCLP entered into the code by the November 7, 1986 notice (51 FR 40572; Revision Checklist 34) is removed and replaced by the TCLP entered into the code and amended by the final rules (55 FR 11798 and 55 FR 26986) addressed by Revision Checklist 74. The actual placement of the TCLP within a State's code is not that important, per se; what is important is that a State's code contains only the Revision Checklist 74 TCLP.
- 61 Revision Checklist 109 removed the table of F001-F005 spent solvent waste treatment standards and replaced it with a note regarding where such treatment standards may be found.
- 62 Revision Checklist 54 revised the section heading, which previously read "Minor Modification of Permits," to read "Permit Modification at the Request of the Permittee." This was an optional change; therefore a State may have the old section title if it elected not to adopt the Checklist 54 changes. States should also note that 270.42 was not required by 271.14 to be part of a State's authorized permit program. Thus, only States which elected to have a section analogous to 270.42 at the time of base program authorization need worry about the 270.42 modifications made to this section by Revision Checklists 34, 39, 54, and 109. Revision Checklist 54 removed portions of the code added by Revision Checklists 34 and 39, i.e., 270.42(o) and 270.42(p) and their subparagraphs. However, these sections have been retained in this Consolidated LDR Checklist because the Revision Checklist 54 deletions were optional. The various scenarios for changes to this section are as follows:
- If the State did not include an analog to 270.42 in its base program, all entries for 270.42 shown in this Consolidated LDR Checklist should be disregarded.
 - If the State included an analog to 270.42 in its base program and chose to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the entries on this Consolidated LDR Checklist for 270.42(o) and (p) and their respective subparagraphs should be disregarded (such code will have been deleted); and the new section title should be used.
 - If the State included an analog to 270.42 in its base program, but chose not to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be

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made; the State should have analogs to 270.42(o) and (p) and their respective subparagraphs as shown on this Consolidated LDR Checklist; and the old section title may be retained.

- 63 Appendix I was introduced by Revision Checklist 54 as an optional modification to Section 270.42. Changes to this appendix addressed by Revision Checklists 78, 83, 109 and 124 are relevant only if a State has modified its code to include Appendix I as per Revision Checklist 54.
- 64 Revision Checklist 78 redesignated the old item B(1)(b) as item B(1)(c) and added a new B(1)(b).
- 65 Revision Checklist 83 added the footnote symbol to the Class I designation at B(1)(b). Note that both the 1991 and 1992 CFRs have two occurrences of item B(1)(b). The first occurrence (as revised by Revision Checklist 83) is the correct version. The second occurrence of item B(1)(b) is the one added by Revision Checklist 78 (without the Revision Checklist 83 change) and which is removed by Revision Checklist 124.
- 66 Revision Checklist 124 redesignated the old item B(1)(c) as item B(1)(d) and added a new B(1)(c).
- 67 Revision Checklist 61 revised and redesignated 270.72(e) as 270.72(b). The Revision Checklist 61 changes are optional, however; therefore, some States may have retained 270.72(e) in their code as introduced by the LDR Revision Checklist 39.